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# CITIZENSHIP

## ITS MEANING, PRIVILEGES AND DUTIES

BY

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"*All who have meditated on the art of Governing mankind have been convinced that the fate of empires depends on the education of youth*"—ARISTOTLE.

HODDER AND STOUGHTON

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# FOREWORD

THE aim of this book is stated in the first chapter. In short, it is to help the young student to know and to value both the *privileges* and the *duties* of the Citizenship which awaits him or her. The need for such help exists at all times: but especially does it exist to-day. The educative influences of the war have made the young grow up quickly. To guide this quick mental development aright, in so far as it is related to State obligations, is a necessity. A full attempt to do this is expected as one of the distinctive works of the new system of Day Continuation Education. My experience as a teacher of this subject in Secondary Schools has perhaps enabled me to see how best to put it before the young student—the type of youth provided for under this new educational scheme. Primarily, the book has been written to aid him. It is, however, both wide and difficult enough—in scope at least—to assist the older student and the man who is making use of his opportunities for self-education. The questions marked by an asterisk are meant for the latter class of student.

If further books are desired to supplement this, F. Swann, *A Primer of English Citizenship;* E. J. Mathew, *Representative Government*—are recommended. A more advanced but excellent book is E. Jenk's *The State and the Nation.*

F. R. W.

*Bristol Grammar School,*
1919.

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## CITIZENSHIP AND ITS DUTIES

# PART I.

## CENTRAL GOVERNMENT.

## CHAPTER I.

### WHAT WE ARE GOING TO STUDY, AND WHY.

*What is Citizenship?*—Citizenship is the grand privilege which we all possess. We do not have to buy it to-day: yet, in the ancient times of our history men paid big sums of money to gain it. We do not have to win it by any display of exceptional skill or talent. Nor do we have to pass an examination before we can claim it. It is ours by *right of birth.* It is the legacy or heritage we each enjoy from the past—the fruits of the big political victories won by our forefathers. Whether deserved or not, it is the rich possession of all who are fortunate enough to be born and grow to adult age as members of the British race and Empire.

To ask boys and girls who are just starting out into the world and beginning to earn their own living to study and read about this subject may seem at first rather foolish. The boy or girl will say that it is too hard and too advanced

and that the time spent could be used to much better purpose in learning something "useful." To take this line is wrong. Citizenship will be the possession of the boy and girl when they grow up. And so valuable a possession is it that it ought to be prized. Indeed, *it must for its own sake be prized.* Any time now spent upon learning about it and understanding the *rights and privileges* it gives and the *duties* it brings to its possessors is, therefore, most usefully spent. Nor is it a *hard* subject. Interesting and easier than expected will it be found if it is approached in a right spirit; and as to being too "advanced," it is certainly not. For, is it not both right and proper to expect that boys and girls old enough to go out into the world shall also be old enough to begin to take an intelligent interest in so important a subject as this?

Britain will never be happy in being the motherland of an enlightened race until we commence to train the young for the tasks and responsibilities of their future *social and political* (as well as their *working*) life.

A study of Citizenship is clearly a part of such a training. Intelligently pursued it will yield a liberal reward. It will teach you what are your many famous *privileges* as a British citizen, and what are the *duties* expected of you in return. It will enable you to take a real, live interest in your country's welfare, and in your own also as a subject-member of

it. Without the knowledge it will give you, you will not be able to play your part *as well as you ought* in our splendid system of self-government: nor will you understand (as well as a citizen worthy of his citizenship ought to understand) the big and urgent tasks and problems in securing the well-being and prosperity of our State and Nation.

No nation can ever be great and hold a proud place among the nations of the world unless the men and women who are its citizens understand what their citizenship is, what it means to themselves and to their State, and try to live it out *worthily*. Its citizens are a nation's real strength: their *personal quality* is what counts in the struggle of life.

*Aim of this Book.*—The object of this little book is, therefore, threefold:

(*a*) To stir up in its young readers an admiration for the value and the qualities of true citizenship.

(*b*) To show simply how our citizenship has been won by our forefathers and has been handed down to us as our legacy.

(*c*) To state on the one hand what are the *rights* we enjoy as citizens; and, on the other, what *duties* we have to perform in return.

In order to secure these three ends it will be necessary to prepare the way by learning a little about the State and its people, its methods of government both *central* and *local*. As citizens we are obliged to play our part in

the Government, for we are a *self-governing* people. What self-government means we must also find out: unless we know we can neither govern ourselves properly nor keep wholly and honourably its privileges and liberties.

*To Study Citizenship is a Duty.*—As in most other branches of life, it is necessary to learn what to *do* and what to *avoid* in the practice of your citizenship, if you are to be successful. Unfortunately so many people to-day are list-less and ignorant and therefore unsuccessful in this important matter. Although citizens by right of birth they do not value their citizenship even enough to understand it. They accept all the benefits it brings them as a matter of course, but never trouble to ask the "why" and the "how" about them. Such people are really *unworthy* citizens and do not deserve their privileges. The day may not be far off when men and women who prove themselves in this way to be unworthy of their citizenship will be by State action deprived of it. It, therefore, behoves all young and ambitious people to think about their future status as fully-fledged members of the State and the duties it will involve. We ought not to expect to enjoy citizenship for nothing. Consider, *e. g.*, the supreme gift of FREEDOM which it bestows. Freedom is so great a blessing that it is really priceless: it is the foundation of all our modern social and political life. Yet how many people take the trouble to think about

it or to ask themselves whether they are really worthy of it? The abolition of the Slave Trade is not yet a century old: and the idea of slavery is a constant one in human history. Yet as British citizens we are born *free*. Even from so slight a consideration of this single point—this one gift of personal freedom in our citizenship—it is clear that all citizens ought to be grateful for, and try to be worthy of, the many privileges citizenship gives them.

Another powerful reason why all should study this subject is this: it may be necessary one day to defend the privileges of our full citizenship from those who would take them from us and destroy them. Unless we know what we possess—what are the limits of our birthright of free citizenship—we cannot really defend it successfully. As you will see explained in the following pages, the great gift we are apt to value so slightly to-day was fought for and won only by a bitter fight extending over centuries. It is the result of the best work of our greatest statesmen and leaders of men in ages long past. It is our civic inheritance. That we must keep it whole and preserve it from loss or harm is clearly our *duty*—quite apart from our self-interest. Men have not been wanting in the past whose aim was to destroy some of these privileges. Let us see to it, then, that we are prepared always to guard and to cherish our civic inheritance with the utmost care. The children

who are born after us and who will continue the British race demand of us that we hand on to them their civic inheritance entire.

How can this best be done? *Simply by performing as faithfully as we can the various duties entailed by citizenship.* As citizens we are all *public servants, i.e.* we all have to serve the State in our *public* capacity. The State benefits by our services. These services must be done as well as possible. They are the price we pay for our privileges. And, if we pay the price ungrudgingly and promptly, he will be a bold, bad man who would venture to take them away.

What these *public* duties or services are will be set forth in this book.

*History. Its Meaning.*—In the first two parts of this book it will be necessary to trace the history of some of our Institutions of Government. Only by this means can we see the growth of our privileges as citizens. The story of the struggle spoken of above, where it is required for our purposes, will be told in outline. It would, therefore, be as well at this point to say what we mean by *History*.

History is the *record of life*. It is usually taken to mean the written story of all the known facts which have contributed to the development of the customs and institutions of men. It tells of the earliest known beginnings of social life and traces from these origins the growth of all the principles upon which

the vast modern organization of national and state life solidly rests. In this long story there is clearly much that is distressing and wrong to our point of view: as much, however, and probably more, is strongly attractive in both its worthiness and justice. Upon the latter we should at least learn to dwell in thought and discussion. In it there is an almost inexhaustible store of splendid endeavour and noble example. In it will be most certainly found the record of what has proved useful, and is indeed still proving useful, for the conduct of life both individually and publicly.

This History of Citizenship ought, therefore, to be full of interest. It will take us back to early times. Starting there we can quickly trace the growth of the chief customs, rights and duties, etc., which make up modern Citizenship. The story of the growth of Government, of the development of various parts of Government, of the Law and Order of the State, the Organizations and the Work of the State, will also demand notice—for Citizenship is inseparably connected with Government. It will, in short, set before our minds the picture of the British Nation growing up to its present world greatness and grandeur as a free political and self-governed people.

Citizenship is our object. To read the history of those facts which make up Citizen-

ship is the first and easiest way of understanding its true meaning.

QUESTIONS.

1. Why should juveniles worry about this subject?
2. What part do juveniles play in the State?
3. What do we mean by saying Citizenship is an inheritance?
*4. Compare Roman Citizenship with British.
*5. Discuss the ideas of Freedom and Slavery.
*6. "The Price of Freedom is Eternal Vigilance." Is this true?

# CHAPTER II.

## THE STATE AND ITS PEOPLE.

THE title of this chapter is a common phrase. It is constantly on the lips of people who are fond of discussing or arguing political subjects. They take it for granted that these few words express a certain truth understood and believed by all—that *the State exists and supports the existence of millions of people who are its servants.* Although this is quite correct from one side of the question, it is wrong from the other. It is just as true to say that "*the People exist and support the State which is their servant.*" What is more, if either of these two truths is the greater, it is the latter one; for the People must have existed and have settled first in order that the (their) State might be created. Let us, therefore, reverse the title and learn a little about (i) the People and (ii) the (their) State.

I. *The People.*—It is well known that Great Britain is densely populated. Scotland and Wales are not overcrowded as countries. Only in certain industrial areas, such as along the River Clyde and in the iron and coal fields of

South Wales, are their peoples too congested. The areas of these two countries could easily accommodate their whole populations if it were possible to "spread them out" more. In England, however, we find the population is really too large to be comfortable even if it were "spread out." The overcrowding in our industrial districts and in our great towns is simply appalling. It is true that vast expanses of land remain unoccupied in our country; but, remember, we cannot build houses on all of it; a big reserve of land must be kept for growing crops to feed the People. And, as you know, even though we cultivated a record area of three and a half millions more acres during the Great War the produce was not near enough to feed us all. It is, therefore, true to say that England is overpopulated and cannot as a land really support its people.

This immense population has sprung up in modern times. It is the result of our vast industrial, manufacturing, and commercial activities and world-wide success during the eighteenth and nineteenth centuries. We doubled our population in the eighteenth century, and quadrupled it in the nineteenth. The greater our prosperity became, the higher was our birth-rate. This rapid growth can, of course, be seen best in the big towns, especially in the north and in the Black Country, where the real centres of English industry lie. In the years 1801 to 1821, for example, Liverpool,

Manchester, Bradford and Glasgow increased their numbers threefold: London too grew enormously. In 1811 our population was 10,000,000: in 1911 it was 36,000,000. To-day our population numbers over 40,000,000, of which over 6,000,000 are settled in the area of London alone. The growth of town population is shown by the following figures: in 1901 the people living in towns numbered 25,054,268; those in the country only 7,471,807.

From the national point of view this huge growth is satisfactory. It proves that we are a healthy and virile race and that there is always a wealthy store of *human labour-power* which is so necessary to run our giant industries successfully. This national advantage is strikingly shown if we compare ourselves with a nation like the French, whose birth-rate fell so seriously during the last half of the nineteenth century that their industrial life and activities suffered.

But quite apart from such topics as these, is it not an exceedingly wonderful thing that over 40,000,000 of people can live together, forming one vast human community, society or settlement, working to live in peace and goodwill towards one another, and, apparently, all inspired with a love for the land they dwell in? This fact is so strange as to seem impossible when looked at coldly like this. Yet, it is such an everyday fact and we are so used to it, that we never notice its wonder or ask

ourselves *how and why it should be.* If we did ask such questions we should, after some further enquiries, be compelled to consider the thing we call the *State*—for in the organization known as the State we find the right answer to these puzzling questions.

II. *The State.*—Now what is the State? It is a settlement or a *community* of men and their families, *i.e.* it is the big association formed by a great number of families and tribes all of whom find it convenient to agree to live and to work together in one settled place or within defined limits of land.

This *congregating* of men is a *natural* habit. Men cannot escape their instinct of social life: they are of the class of animals which *herd together*. Men cannot live alone. So really their association, which is the basis of the State, is a natural fact. Their common language and same social and domestic and (in olden days) religious customs also assist in bringing them together in one common society and settlement. But none of these facts are enough by themselves to form the State proper. One more factor is necessary. This is *Government*. The human settlement or association is *governed* by a form of Government agreed upon by the majority of the members and set up by them. *In this idea and fact of government lies the essence of the organization known as the State;* in it also lies the key to the riddles we set out to solve; namely, How and Why can

over 40,000,000 people live and work together peacefully as one vast association?

The association is successful because it is organized on sound lines. It is controlled, administered, governed. And the body of men who are responsible for this difficult work is called the Government. These men are specially able men who, generally speaking, are trained in all the arts and practices of governing men and who devote their lives to this high task. They are responsible for the right management of the State; and, as the People form the State, they are in turn also responsible to the People.

*Law.*—Of the many ways in which government can be carried out by far the most important is that of the *creation of just laws and the righteous administration of them.* Law is built upon Custom: it means "something laid down," and is clearly something that all the members of the State-association—or, at least, the majority of them—agree to accept and observe. The rude customs which men accepted and observed as the rules of their common association in the old, barbaric days have slowly become hardened into laws the observance of which is to-day compulsory. Thus, the strong and the weak alike can now enjoy their privileges as members of the State (as citizens) without fear. Thus also, our system of law is what orders and controls our common life—makes the State really success-

ful; and the Government is the body of men holding the necessary powers to order and control this system of law.

*The Divisions of modern Government.*—Another fact of great importance to notice is that the successful working of modern government with its great codes of Law demands the careful and successful organization of the State into smaller divisions or sections. Clearly, it is impossible to order the life of over 40,000,000 people by just one authority or from one centre of control. It would be too great a task to be carried out with a full measure of success. The work of government, *i.e.* working the vast machine of law, is, therefore, divided into two great divisions: (a) *Central;* (b) *Local.* Both of these divisions we shall deal with in later chapters. Here, however, it is necessary to note further, that both of them are again divided into many parts so as to be able to work more quickly and effectively.

The sub-division of the Central Government is difficult to understand as it is confined to the actual work of Parliament and the various big Departments of the Civil Service.

That of Local Government is easy and ought to be understood at once. It follows the ordinary lines of the divisions of our land and the groupings of our people into different areas. Thus, on the one hand there is the *town population;* on the other, the rural or *country population.*

Taking these big divisions of the people as a basis, the local government of all *towns* is organized independently in every one of them; while in the *country districts* every shire or county is a separate area for local government. In Chapter XIV, where we discuss "The Institutions of Local Government," this system of organization of local government is fully explained.

*Principle of De-centralization.*—It is only introduced here to bring at once to your notice that *the government of a modern State is so immense a task that it cannot possibly be carried out successfully unless its functions are organized and sub-divided in this way.* The Central Government hands down certain powers of control to *Local* Authorities; these Local Authorities in their turn hand down certain powers to smaller Authorities, and so on. In this way the vast organization of the government of a modern State is constructed. This method is called *De-centralization*; and it is the only successful method in ordering justly the life of so huge an association or society of men as exists in the modern State.

In later chapters this system of de-centralized government will be more fully described. The Central Government will be explained first; then the Local Government. As citizens of the State we must be interested and well-informed about this all-important thing we call government. It affects every one of us in a hundred

different ways every day. Moreover, the Government stands as the truly legal guardian of the (our) State. Unless we know about its powers and its work we cannot, on our part, conduct ourselves rightly towards it. That our social and political conduct should be correct is necessary for the welfare of our State and ought to be the aim of every true citizen.

Remember, if the State is ours, we are also the State's. If the State does certain things for us, we are also, as citizens, expected to do certain things for the State. What *privileges* the State gives us on the one hand, and what are the *duties*, on the other hand, we are called upon to fulfil, it is the main object of this book to make clear.

### Questions.

1. Why is the State a *natural* thing?
2. "Law is essential to Government." Discuss this.
3. What is meant by saying a State is self-supporting?
*4. Why is de-centralization necessary in the government of the modern State?
*5. What is Patriotism?

## CHAPTER III.

### CENTRAL GOVERNMENT.

*Modern State Government.*—The method of governing a modern State is similar to that of running a huge business. In truth, the State is a big business which has to be "run" successfully. If we choose any such business and examine its organization we shall, perhaps, see more clearly how the government of the State is organized.

Take, for example, a great Shipping Company. It has its head offices in London, and throughout the world it has its branch offices scattered. At the head offices the *real work of government* is carried on. The directors of the company meet regularly; at their meetings certain business plans and policies are discussed and decided upon, certain lines of action argued and agreed, and all the most important questions arising from and affecting the whole of the organization and control of their vast company duly settled. Once these decisions and agreements have been reached and registered, they are communicated, if necessary, to the provincial, district, and branch offices all over

the world; and the officials in charge of them, high or low, have the task of carrying out whatever the orders may be or of making good any of the changes decided upon. Generally, much freedom of initiative and action is left by the company to its head officials in every province and district—but, in regard to general and important lines of controlling action or policy such as we have mentioned, clearly these men must obey the decisions of the directors, *i.e.* the chief governing body of their company.

*The Central Government.*—The Central Government of the State can be likened to the directorate of the Shipping Company: the Local Government, in its many centres, to the provincial, district, branch and sub-offices of the company.

In the case of our State—that of Great Britain—we must let our imagination run freely if we are to see how vast a "business" its government really is. Not only have we our own island to govern, but our enormous Empire daily demands from us our best and most skilful attention in the matter of government.

*The High Court of Parliament.*—London is, of course, the seat of our Central Government. The *High Court of Parliament* (note the term !) is the actual body of men who form this supreme or Central Government. Here it is that these few hundreds of men meet to discuss the great problems which continually arise in the art,

practice and business of governing our State and our Empire. These men are our rulers or governors and are specially trained and chosen for their difficult work. To devise ways and means by which the tremendous system of British Law is to be upheld and administered is their first duty; to improve this system of Law as the needs of our State and our Empire demand is their second.

This Central Government is responsible for the welfare of the whole British race: it has the final and supreme authority in all matters *that affect the entire Empire.* From its decisions there is no appeal. It is absolute in its power to govern—to lay down the large lines of policy, both home and foreign, which the Empire shall follow in the present and the future—to fashion the plans that shall by their success or failure make or mar the fortunes of our race. It is a *sovereign* power.

Having decided its policies and registered them in what are called Acts of Parliament, the work of carrying them out and applying their provisions to the actual needs of the life of our State and Empire is left to *inferior* bodies and organizations. These inferior bodies have been from time to time created by the Central Government, and empowered by them to act in this way. Thus we get our vast system of *Local* Government both at home and in our Empire, the sole duty of which is to assist the Central Government in its enor-

mous and heavily responsible work of government.

The High Court of Parliament in which the Central Government is invested, is itself made up of various institutions. They are as follows: (i) *The Crown;* (ii) *The House of Lords;* (iii) *The House of Commons.* There are also two other bodies: (a) *The Cabinet;* (b) *The Privy Council.* These last two, strangely enough, are not included in the High Court of Parliament. Yet they are both powerful, especially the Cabinet, and the Central Government, as we have it to-day, could not possibly work successfully without them. They are both vital parts of this supreme institution.

In later chapters we shall look at each one of these five bodies and see how they are related to one another and what work they do. But here it must be noticed that they, *working all together*, form the single body and hold the single, supreme power of the Central Government—the governing institution which is finally responsible for the success and welfare of the whole British Empire.

QUESTIONS.

1. Explain "the supreme authority" of the Central Government.
2. Discuss the organization of modern State Government.
*3. Do you think our Central Government has too much to do?

4. Ought the Central Government of our State to be also responsible for the Government of our Empire?
5. Ought Statesmanship to be regarded as a separate profession? If so, what would be the best method of training for it?

*Note.*—Many writers, especially legal and constitutional writers, claim that only (i) the Crown, (ii) the House of Lords, (iii) the House of Commons, *taken together* make up the "High Court of Parliament," and that the real governing (sovereign) power is invested in this Court alone. This view is *legally* correct. But, no place in such a view is found for (i) the Cabinet, (ii) the Privy Council, both of which nowadays are vital parts of our system of Central Government. This can be legally explained. But for our purposes in this book it is best to consider all these five institutions *working together* as forming the Central Government—always, however, remembering that *legally* the "High Court of Parliament" proper consists of the first three only (*see* Chapters VI and VII).

## CHAPTER IV.

### THE HOUSE OF LORDS.

In our consideration of the three parts of the High Court of Parliament it is best to start with the House of Lords. Probably you think we ought to start with the Crown. It is better, however, to leave the Crown till later. The rights and duties of the Monarchy can be more easily understood after the other parts of the Government have been considered.

The House of Lords is the oldest institution in our Government. It can be traced back to the dim days of the sixth century when the English first came to Britain. It is older than the Crown, for there were no kings in those days, and hundreds of years more ancient than the House of Commons, which did not really begin till 1265. It was not, of course, called the House of Lords in this remote age: it was called the WITENAGEMOT.

People then lived in tribes; and every tribe had its *Witan*. This was an assembly of *wise* men, *i. e.* the leading and most important men of the tribe assembled to discuss tribal affairs. Gradually, the many tribes joined up into

various kingdoms. The same system of government was continued, for every king, no matter how strong he was, had his WITAN or Council of great men to assist him in governing his people. Gradually, also, the various kingdoms were brought under the sway of one king, the people unified in one nation and the kingdom of England fully established. The Witan now became the national Council of the Wise which the king called to help him in governing the land. During the Anglo-Saxon period (800–1066) the Witan was extremely powerful—on the whole more powerful than the kings. This Council had the right of electing the king—*and always exercised it.* The throne was not hereditary then. This Council also had the right to levy taxes, to make laws, to decide peace or war, look after the affairs of the Church, appoint the high officers of the land, and to be in itself the chief law-court of the Kingdom. Its scope and powers were really sovereign.

After the Norman Conquest (1066) the Crown became exceedingly strong. With few exceptions our kings were as wise as they were powerful. Gradually, the Witan lost its big authority of old: it became a Council that did little more than discuss and approve the proposals of the king. Never, however, did it give up its ancient right of electing the king; and this was a check upon the Crown. Sometimes the Council, which was filled with the

greatest barons of the realm in these later days, was forced to act against the Crown. Then there was civil war. An example of this is found in the history of John's reign (1199–1216). The famous *Magna Charta* (1215) was forced from this bad king by the great Council leading the nation. Moreover, when a regency occurred, as, for example, in Henry III.'s reign (1216–1272), the real task of government naturally fell into the hands of these chief Councillors, and the power of the Council was strengthened, at least till the king was grown up and able to assert himself.

In the thirteenth century the Commons of the Realm succeeded in gaining a place in the Great Council. Parliament, as we know it, was as a consequence established in this period. All classes were represented in it. But the number of men thus assembled was too great to be usefully workable. Moreover, the nobility claimed more privileges than the Commons and found it inconvenient to sit in the same Council with them. Therefore, about 1327, the Great Council which was then known as Parliament broke into two, the nobility sitting in a House of their own, and the Commons enjoying the same right. In this division we find the real origin of (i) the House of Lords; (ii) the House of Commons, as we know them to-day.

The House of Lords has not changed since that year so long ago. It has grown—but in *form* it is what it was then. Note, however, that

*the new House of Lords was really the old Witan, i. e.* the assembly of great barons and bishops who after the Norman Conquest had become the Great Council.

*Qualifications for the House of Lords.*—What qualified a noble or bishop to sit in the House of Lords? In the Middle Ages it depended on one thing—how much land he held. Only the greatest landholders received the royal summons to the Great Council. In time, however, kings found it wise to have the advice of men who were not merely great landholders. So it came to pass that famous lawyers and successful merchants occasionally received the summons. Two classes of "lords" were, therefore, existing and royally recognized by the thirteenth century: (i) those whose possessions in land gave them the ancient *right* of membership; (ii) those who were called at the King's *pleasure.*

Slowly it became the fashion to allow the father's right to sit in the House of Lords to pass on to his eldest surviving son. This right is called the *hereditary* right. It arose from the fact that land was then so important and that the son inherited all the rights over the land from his father. This custom gradually grew into law. By the year 1400 the principle of hereditary peerage was fully accepted. It has never been taken away. So, to-day, the heir of a member of the House of Lords does on the death of the member *inherit* his right to sit in that distinguished Chamber.

Another fact must be noted. The Crown alone has the right to create new lords or peerages. During the last one hundred and fifty years the Crown has often used this right. Men of all types, who have won public distinction by their work and ability, have been made peers,—such as bankers, lawyers, etc. The eminent statesman, Pitt the younger, was mostly responsible for this. He did not think it wise to allow the House of Lords to be for the most part a chamber of landowners. He determined to reward ability and public service. His royal master, George III., for political reasons strongly supported him, and during his long reign of sixty years (1760-1820) no less than 338 new peerages were created.

*The effects of the Revolution*, 1688.—It is usual to begin any *modern* review of our Government and the High Court of Parliament from the date 1688, when the Revolution took place which settled the broad lines on which our form of government has since developed. In regard to the House of Lords no real changes were made by the Revolution. As an integral part of the Government, it was accepted. There were about 150 peers then—a number increased to 168 by William and Mary. In the eighteenth century the only change of importance was the enormous growth of membership already noted. The 338 creations of George III. and the 16 Scottish members and the 28 Irish (who had the right to sit in the

Chamber after the Union with Scotland (1707) and the Union with Ireland (1801) had been made) accounted for this. The rights and the functions of government the House possessed were not interfered with. To-day the House of Lords numbers about 650, and the royal right of creating new peerages is still exercised by the Crown on the advice of the Prime Minister.

### The Work of the House of Lords

This can be divided into three parts: (i) Advising the Crown; (ii) Law Making; (iii) Judicial.

(i) *Advisory.*—Still possessing the right of the ancient Witan or Great Council, all the Lords individually have the right of personally advising the Crown and of being summoned by the Crown for the purpose of discussing national affairs. When Parliament is not sitting this function is clearly important. Being wise and successful men, distinguished by scholarship, public work, and very wide experience of men and the problems of government, the "Lords" are the best councillors still for the monarch to call to his aid in any national crisis. Moreover, every peer has the right to claim an interview with the king on affairs of national importance. This right is called "the right of personal access." Naturally, however, this is very seldom exercised nowadays.

(ii) *Law-making or Legislative.*—The Law-making powers of the Lords were very great before 1911. In that year the famous Parliament Act was passed and severely checked them. Their powers now are:

(*a*) They can introduce a Bill relating to any matter with one exception—taxation. This exception is vital, and many a big fight before 1911 had taken place between the two Houses over the vexed question of "money Bills." It was then (1911) decreed that a "money Bill" could be introduced by and into the House of Commons only, and, further, that if passed in the House of Commons, it *must* be passed as it stands by the House of Lords. Whether this loss of all Control over Taxation measures by the Lords is a good or bad thing for the country is still a matter of keen dispute.

(*b*) They alone can introduce Bills relating to the peerage.

(*c*) They act as supervisors of any Bill (except a "money Bill") passed in the House of Commons. Full discussion and three "readings" are given to every such Bill. Their right of altering any clause in any Bill or rejecting it entirely is undisputed.

This is by far their most important function. In so "popular" a Chamber as the House of Commons many a Bill can be introduced and passed by means of the Party Machine or Party System of Government which may well be injurious in its effects upon the nation's

life. A "Party victory" may often result in national loss. The check to this lies in the powerful rights of the Lords to debate, amend and reject (if necessary) any ill-considered or untimely Bill sent up by the Commons.

*The Parliament Bill*, 1911.—Many people think it is wrong that the will of the People as represented by a popularly elected House of Commons should be subjected to this supervision of an *unelected* Upper Chamber. And these people hailed the Parliament Act, 1911, as a great popular triumph over "aristocratic privileges," for this Act, as we noted, cut away a great deal of the Lords' power. Not only did it take away their control over all "money Bills," but it *definitely limited* their old rights to debate, amend and reject the laws proposed and passed by the House of Commons. The position now is: that any Bill which the House of Commons has passed in three successive sessions, and which has been thrown out every time by the House of Lords, may become Law *despite the Lords*, if the King approves.

Whether such loss of authority by the Lords will result in good or evil time alone will show. But it ought to be remembered that the Lords are citizens of the realm, that many of them are distinguished by their abilities and their patriotism, and that they would be first to agree that the welfare of the State is their welfare. That such men would throw out any

Bill which they honestly thought was a good measure is unthinkable. Further, being unelected, they have nothing to fear or to lose or to gain from mere popularity—a consideration which must always weigh heavily upon the Commons. Their hereditary office gives them the tremendous advantage of being as impartial in the difficult work of law-making as is possible. In acting as supervisors of the law-making of the House of Commons they do invaluable work, for, at least, they prevent vast changes being made in the Law until such changes have been thoroughly well considered from every point of view. Looked at in this way, the Upper Chamber is seen to be not only a necessary part of our organization of government but a part whose governing functions are of the highest importance.

(iii) *Judicial.*—The House of Lords is the highest law-court of the land (*see* Chapter XII). This judicial right has also come down from the days when the Witan was the chief law-court. Many attempts have been made to take it from them, but all have failed. Nowadays, the right is popular. The nation regards a decision in the case of an Appeal to the House of Lords as final, satisfactory and absolutely binding.

Finally, it must be noted that a peer has the right to be tried by a court of his peers, and such court is formed by the House of Lords. Also in cases of *Impeachment*, the

House of Commons prosecutes the offending Minister at the bar of the House of Lords' tribunal (*see* Chapters V and VIII).

*Proposed Reforms.*—Two points remain: (i) In recent years there has been a widespread outcry against the *hereditary* qualification to membership of the House of Lords. It is claimed that the Upper Chamber ought to be *elected* and thus be more *representative* of the People. This outcry finds more ordered form from time to time in proposals to reform the House of Lords. It is only necessary to note here that if any such reform is carried which takes away the hereditary qualification from the House of Lords the big political advantages flowing from the impartiality and disinterestedness of the peers in the difficult work of law-making will probably be lost to the nation.

(ii) Why do a certain number of Bishops sit in the House of Lords? In the old Witan the bishops were among the wisest and most powerful of its members. In the Great Council of the Middle Ages they retained their seats because they were great landholders and also still among the wisest men of the age. They have retained this right. To-day, they have not great land "baronies" to account for to the king; but they are responsible for the spiritual life of the people—a vast and delicate responsibility. Moreover, they are still by scholarship, training and experience in government among the wisest of the king's counsellors.

QUESTIONS.

1. The necessity and powers of the Witan.
2. How did the Witan become the Great Council?
*3. Discuss any "modern" changes in the form and work of the House of Lords.
4. Which of their three functions is most important? Why?
*5. Reform of the House of Lords.
6. The advantages and disadvantages of the hereditary qualification.
*7. Ought the House of Lords to have power to amend or reject "Money Bills"?

## CHAPTER V.

### THE HOUSE OF COMMONS.

As its time-honoured name tells, this is the House of the People, or, to speak more correctly, of the Citizens. In it the chosen and *elected* representatives of the citizens sit, and *through* the voice and actions of these representatives the citizens play their important part in the government of the State.

Not until the thirteenth century was this valuable right of taking part in the Government extended to ordinary citizens. Then, however, the growth of the population and the needs of the land (and especially the need of the kings for money) made it necessary for the kings and the baronage to invite to their Great Council men who could represent the towns, counties, merchant classes, etc.

The first faint record of this mighty change in the method of Government is found in 1212. From then throughout the thirteenth century the idea (stated definitely in the next century) that "what concerns the People as a whole ought to be approved by the People" grew and flourished. It found expression in the

beginnings of our Parliamentary System—for the calling of a *Parlementum, i.e.* the Great Council reinforced with representatives of the People, gradually became commoner as time went on.

The biggest experiment in this important matter of reform is historically associated with the name of the fine patriot, Earl Simon de Montfort, in 1265. After the accession of Edward I., our greatest and wisest king, in 1272, the idea of the *Parlementum* as a governing organization was finally accepted, and Edward I. "experimented" with it till he got it into its best form. Thus, at last, we get the famous *Model Parliament* of Edward I. in 1295, commonly known as the "first" true Parliament. To this Parliament were summoned Knights of the Shire, and burgesses of every borough—two from each area and borough—to speak for the People before the King. This Parliament of 1295 became a "model" of the form of all future Parliaments. From this date Parliament grew steadily in strength until it became the most powerful of our institutions of Government.

As noticed in the last chapter the year 1327 is probably the date when the *Parlementum* broke into two Houses, *i. e.* the representatives of the Commons began to sit and deliberate in a House of their own.

The growth of the power of the House of Commons is a wonderful story. Here, however,

we cannot do more than touch briefly upon its chief points.

Kings always wanted money. This was the chief reason why Edward I. called the Commons to his aid from 1272 onwards. Continually wanting money, our kings called the Commons more and more frequently until, at last, the political *right* was established that the king *must* call them to Parliament *to agree to taxation before it was raised.* It has been truly said that we have bought all our civic and political liberties with gold.

At first the Commons merely had to listen to the King's demands—and agree to pay. Later, they began to ask for certain grievances to be redressed *before* they agreed. Later still they claimed the right to discuss grievances and originate Bills for their redress. So, gradually, their power increased. The fact that the King often found it paid him better to side with the Commons in his struggle against his turbulent baronage also assisted to make the Commons more powerful.

It is not surprising, therefore, to find that within a hundred years the House of Commons was a big force to be reckoned with by either the King or the baronage, or both, in the matter of Government. By 1400 the House of Commons was thoroughly and firmly established as an institution in our Government.

Four rights—high and valuable rights—the Commons had to claim and win by this time.

They did so with great effort; but having won them, in theory at least, they were so strengthened that they largely controlled government. These rights were:

(i) *Control of Taxation.*—That any Bill dealing with taxation must first be introduced into their Chamber, discussed and passed, *before* it went to the Lords or the King: and that *no* taxation could legally be levied which they had not previously passed.

(ii) *Appropriation of Supplies.*—That any money voted to the King must be fully and rightly *accounted for.* As guardians of the State they saw to it—or intended to—that there should be no wasteful extravagance with the State's money. This right, to know how and when and by whom the money was spent, is called the *Appropriation of Supplies.* Needless to say, the King and his Ministers and his Council put up a severe fight against this attempt (later this *right*) to control expenditure: their old liberty of spending freely was very dear to them. It took the House of Commons centuries to win this right absolutely.

(iii) *Audit.*—That the Commons should examine and pass all the accounts of national expenditure was a consequence of (ii). This right was called—the right of *audit.* It was a further necessary check to royal and ministerial extravagance. The fight for this was equally long and severe.

(iv) *Appointment of Ministers.*—That the

Ministers of the King—the few great men who carried out the real work of government—should be *appointed* and *dismissed* by the King *with the approval of the House of Commons,* was the last of these four rights. They established it in actual fact during the fourteenth and fifteenth centuries, but lost it again during the Tudor period. Not until the seventeenth century was it again won. Moreover, they extended this right to the act of *impeaching* a bad minister, *i. e.* of putting him on his trial for his failure and sentencing him.

In addition to these four outstanding rights of the Commons, fought for and won and lost and won again during the long centuries of Parliamentary struggle against the Crown, their ordinary political and governmental duty of law-making, *i. e.* of introducing, debating and passing Bills for the remedy of national evils, was also slowly defined and accepted. Indeed, this *legislative* or law-making work was clearly their true function.

*Effects of the Revolution,* 1688.—After the turmoil of the Civil War and Parliament's great victory (1640–60), after their failure to hold its fruits during the reigns of Charles II. and James II. (1660-88), after the Revolution which followed (1688), Parliament was finally settled as the powerful institution of Government on the lines that we know to-day. Since then there have been no great changes in the form and rights of the House of Commons.

By the various Reform Acts (*see* Chapter X) the representation of the People has been made fairer until to-day we can justly say that the 707 members of Parliament do fairly represent the peoples of our four united countries. The type of man chosen as an M.P. is virtually the same, but, nowadays, the scope is wider so as to include the high-born and the lowly as well. The presence of Labour members in the Commons to-day illustrates this change.

In governing functions, however, the House of Commons has rapidly increased in power since then. All the four old rights we noted were then (1688) re-asserted and won finally. The full enjoyment and practice of them ever since has resulted in the tremendous governing authority the Lower Chamber possesses to-day. Particularly is this seen in the case of "money-bills." All taxes are levied by Parliament: all are first approved by the House of Commons. The Lords have been deprived of even power to alter them (*see* Chapter IV). All money raised can only be spent with the approval of the Commons, and the right of *audit* is now fully and freely exercised. Note that the State *must* have money to go on working. In its right to give or refuse this lies the real source of the People's power exercised through their House of Commons. This is only one example of the high governing power of the House of Commons. It can also be seen in such very important matters as the appointment of

ministers, the dismissal of ministers, the appointment of judges, the absolute right of law-making, etc., etc., functions we shall have to look at more closely in Chapter VI.

So vast and complicated has the machine and organization of the State become nowadays that we must admit the fact that with all its high and full authority the House of Commons (and the House of Lords also) is not *in itself* the final power of government. It cannot by itself *govern* us. The real and final power of government is shared by the House of Commons with the other two or three governing institutions in the High Court of Parliament. Thus, it merely possesses *part of the power to govern.* By itself it could not do all the work of government. It must have the other parts of government working in unison with it. These parts as we saw (Chapter II) are the Crown, the House of Lords (and the Cabinet). *All four taken together represent the real and final form of our Government to-day.* How and why this is will be shown later. The point to note now is that of its four necessary parts the House of Commons is a very powerful unit.

*Professional Politics.*—The last point to note is that to-day members of Parliament are paid for their services. Their salary is £400 a year. This reform has been secured only in recent years. A man sufficiently distinguished to win the approval of his fellow-citizens and be

sent to Parliament is clearly worthy of £400 a year in payment for his services. But, as many writers point out, the existence of this salary is a tempting bait to the clever man who lacks *real political principles and sincerity*. Such a man is a *professional* politician—one who makes politics a business or means of livelihood. Yet high and honest principle is essential to just government; and unless our members of Parliament are all *honest* politically we cannot be certain that they will either represent or rule us justly. The *professional* politician is a danger to sincere politics and sound government.

In electing his member of Parliament the intelligent citizen will, therefore, take care to examine closely the career and the character of the man who wishes to represent him; only the best, the most able, and the thoroughly sincere man is wanted in the House of Commons; and the citizen, if he is wise, will see to it that the man of his choice is such an one.

### Questions.

1. Why were the Commons called to the Great Council?
2. Discuss the chief "rights" gradually claimed by the House of Commons.
*3. Is the House of Commons justified in claiming all control of taxation?
*4. The danger of "professional politics."
5. The qualifications of an ideal Member of Parliament.
*6. The Omnipotence of Parliament.
*7. The possibilities of a Single Chamber Government.

## CHAPTER VI.

### THE CROWN: THE PRIVY COUNCIL.

THE British monarchy is a *constitutional* monarchy. This means that it is established *according to law*, and acts in the work of Government according to law. This *legal* character of our monarchy will be better understood if it is pointed out that kingship or monarchy usually is and has been *un*constitutional, *i.e.* the King has claimed to be *above* the law and not bound by its decisions and rules.

In the olden days our monarchy was in this way *un*constitutional. Kings, such as William the Conqueror, Edward I., Henry VII. and Henry VIII., and especially the feeble monarchs of the Stuart line, asserted their " rights " as kings to such a degree that they often defied, overrode and changed our constitution. In their view they were not really wrong. To understand this — it seems contradictory, doesn't it?—you must try to look clearly at what is called by lawyers the *Prerogative of the Crown*. The question: What is the *Prerogative* of the Crown? in days long ago caused

more trouble between the King and the People than any other.

*Prerogative* means a sovereign "right" or "power." Such a right or power is bound up inseparably with, and in the office of, monarchy by the very nature of monarchy itself. If it be taken away, true monarchy is destroyed. The King, therefore, must and does enjoy his kingly prerogative absolutely. It is a sovereign thing. Its possession is a part of the King's real sovereignty.

In the days when the Crown was all-powerful and the kings' word was law and their actions absolute, clearly the royal prerogative was as wide and as full as the kings' will choose to make it. Their exercise of sovereignty was *arbitrary*, *i. e.* they did not account for their actions to any one or any power. They ruled as they wanted to, and were *above*—out of reach of—*the law*. Owing to this enormous power wise kings ruled well; unwise kings ruled badly.

To-day the monarchy is *constitutional:* it is *beneath* the law. It enjoys the royal prerogative still; but it can no longer act as it wishes. Kingly rule on arbitrary lines is a thing of the past.

How has this vast change come about? In this way. For over four hundred years the People strove to reduce the royal prerogative within legal limits. After Parliament had established itself firmly as an institution of government, it championed the cause of the

People, and struggled with the Crown for this high purpose. Arbitrary royal rule was distasteful to our forefathers. The English genius for self-government objected to it. Yet, the English respect and love for monarchy was as sincere as it still is. The whole problem was, therefore, as follows: How to make the monarchy give up ruling as it liked by means of its unlimited prerogative? The answer was: To *limit the prerogative by law*—to reduce the monarchy to a legal position, *i. e.* to place it as an office of government beneath the Law.

Shall the Crown be *above* or *beneath* the law, was, consequently, the great political and constitutional issue (1215–1689). It was fought out. The Civil War in the middle of the Stuart period was really caused by this dispute. The victory lay with Parliament and the People. The famous Acts of Parliament (i) *The Bill of Rights* (1689) and (ii) *The Act of Settlement* (1701), passed into law following the Revolution (1688), were the final stages in the fight. These Acts firmly settled and defined the legal position of the Crown. Many wrongful additions to the prerogative were then swept away: the power of arbitrary rule by means of royal "right" was finally stopped. Note carefully, however, that the prerogative itself was *not* taken away. To have done so would have destroyed monarchy. This royal "right" and its privileges were preserved, but *limited and subjected to law.*

Our monarchy to-day, therefore, enjoys its prerogative and the privileges which flow from it. But it is not absolute in the matter of Government. It is but a *part* of our Constitution. It has its own functions to perform, but it has to work in conjunction with the other parts of Government already considered. (*a*) The House of Lords, (*b*) The House of Commons, (*c*) The Cabinet. Together, they all make up our true form of government.

It is popularly supposed that our King is a mere figurehead; that by his being a "constitutional" monarch he has very little to do or say in the matter of Government; that we are governed by Parliament, and so on. This is wrong. Our monarchy is *essential* to our form of Government, as we have already seen; it is also exceedingly important in its action and its high authority; *e.g.* in the actual work of law-making the King is legally the supreme power: his signature is necessary to every Bill before it can become law, and he can legally *veto* any Bill, *i.e.* refuse to sign it. It is true that no monarch has ever refused to sign a Bill passed by the two Houses of Parliament since 1707. All the same, by virtue of the royal prerogative the King can still refuse legally.

Again, the Crown is the supreme *executive* power in the Government. This means that the Crown is finally responsible for the work of Government, and that all the work of Govern-

ment is carried out in its name and by its high authority; *e. g.* to the Crown belongs the sole right of raising armies and fleets: both are governed by the "King's Regulations." Again the Crown enjoys the right of calling together Parliament and of dissolving it. Again, all the vast services of administering the Law are carried on by royal authority. Again, the king is the legal head and governor of the National Church.

This brief outline of these sovereign powers will, perhaps, clear away any false idea that the Crown is an ornament. If any such idea still lingers it will be put to flight where in Chapter VIII we see how the King (with his prerogative), and the two Houses of Parliament and the Cabinet all *work together* in governing the State.

## The Privy Council

"Privy" means private. The Privy Council is a large and highly distinguished body of men who form the "private" council to the Crown. Its members are appointed personally by the King. They, naturally, are chosen from all the various social classes for their ability, wisdom and experience in political and governmental affairs. Peers, Statesmen, Politicians, Lawyers, Labour Leaders, Soldiers, Sailors, etc., all classes, are represented there by their outstanding and most successful members. The title of "Privy Councillor" is held by

every member; it is a rare honour and eagerly sought. To-day this Council numbers some hundreds of such distinguished men.

It is supposed by many people that the Privy Council is another name for the House of Lords. This is wrong. The two bodies of men are quite different. The Privy Council is the King's own Council. He can choose whom he wishes as his Councillor. It is the only Council in our Constitution in which all classes of men can be represented; *e.g.* no judge may sit in the House of Commons.

The work of this Council is important and is of two kinds.

(i) It *advises* the King. In times of national crisis or when there is any grave matter politically to be settled the King, naturally, seeks the aid and advice of his Privy Councillors; *e.g.* before declaring war, the King would call his Privy Council to meet him and hear their views.

(ii) This Council has an ancient *judicial* power. It is a supreme Court of Law, equal in authority with the Supreme Court of Law of the House of Lords. Its power is, however, limited nowadays to one very select class of business; this is, Appeal Cases from the Supreme Civil Courts of Law in our great Colonies. It is the Supreme Appeal Court for our Empire in the same way as the House of Lords is the Supreme Appeal Court for the British Isles.

Naturally, this Council has a very ancient history. It can easily trace itself back to the old Witan. Kings always had their Council. In our history the interesting point is: when did the Great Council, which you will remember was the parent of our two Houses of Parliament, separate itself from the Privy Council?

QUESTIONS.

1. Discuss any types of monarchy you know.
2. What is the difference between a constitutional and an unconstitutional monarchy?
*3. (i) What is the *prerogative* of the Crown?
   (ii) What problems does it make in Government?
   (iii) How have we settled these problems?
*4. What part does the Crown play in our system of Government?
*5. Is Monarchy inconsistent with Democracy?
6. Discuss the functions of the Privy Council.
*7. "In the Judicial Committee of the Privy Council lies the germ of a future Parliament of the Empire." Discuss.

# CHAPTER VII.

## THE CABINET.

We have now learnt something of all the *legal* parts of our Government, *i. e.* of the three parts which make up The High Court of Parliament, and we are, perhaps, thinking that the work of Government could be quite well managed by so strong a system. Yet, so complicated is our modern Government that without what is commonly called *The Cabinet*, the system, strong as it is, would not work successfully. So before going any further we must understand what is this all-necessary and all-important institution of the Cabinet.

Two reasons force us to consider it in this last place.

(i) It is NON-legal; *i. e.* it is recognized by general custom—*not* by the Law.

(ii) It is the vital link which connects up the other parts of the Government system and its " machine " (*see* Chapter IX), and allows the whole to work easily.

What is it? It is a small informal Council made up of the Chief Ministers of the King's Government. It is presided over by the Prime Minister. Its number of Councillors varies

from time to time. It has been as low as five: to-day it is over twenty. It shares with the Crown the supreme executive power of Government: *i.e. it is finally responsible for the carrying out of the work of Government.* It is compelled to meet very frequently. At its meetings all the great problems and difficulties of governing the State are discussed and solved. The *policy* of the "Government" is framed there, and the Premier and his colleagues are responsible to the Crown and to Parliament for its execution. Its meetings are held in private, and no record of its work or its discussions is (officially) kept.

To understand fully its curious position and why it is now supreme in executive authority, we must go back and briefly trace its history. As you know, Parliament and the Crown were always fighting for supreme control until 1688. That a workable settlement was then made was largely because *The Cabinet* and *Party Government System* had begun to develop. The Party System divided Parliamentarians into groups. Whichever group won in the Elections was, during the lifetime of the new Parliament, supreme in the House of Commons. This party had its Leaders: these were, therefore, made Councillors of the Crown, and to them the Crown handed over part of its authority in government. Naturally they met and discussed matters: they framed their policy: the King approved; then these men, who were

the King's Ministers for the time, took their policy to Parliament and submitted it there. Thus in course of the next century the Cabinet System developed.

If this is not clear, its history can also be looked at from another point of view. You remember the Privy Council. Kings, good or bad, always had this Council to help them. And in the age-long fight with Parliament, the King often found support in his Privy Council. In the seventeenth century this Council proved too big and cumbersome a machine. The King did not then need *advice* so much as actual *help* in the swiftly growing duties of Government. He, therefore, chose a few specially favoured of his Councillors, and formed an *inner council* of the Privy Council. With these few men he discussed matters and handed over to their care large portions of his governmental work, thus making them his Ministers. This plan worked so well that it grew into a system. It had the merits of secrecy and efficiency. Its value in government was recognized, not only by the King, but also by Parliament after the Revolution (1688) and was then adopted by the former and approved by the latter. The only changes were those already pointed out, namely:

(i) With the rise of the Party System, the King generally chose his Ministers from the successful party.

(ii) The growth of the constitutional custom

to regard the leader of the successful party as the Prime or Chief Minister of the King.

(iii) The granting of more and more of his ruling authority by the King to his Ministers as the needs of the fast-growing State demanded.

In the course of time this "inner council" got fat with power at the expense of the King and his Privy Council. Slowly and naturally the Privy Council proper dropped into the background. It ceased to assist in the executive work of government. The Cabinet became the real executive institution. All the members of the "inner council" or Cabinet were, of course, Privy Councillors, and they, by virtue of their high office and its privileges, had first claim to *advise* the King. The result was that the services of the Privy Council were not wanted so often. Its authority waned, and, to-day, the full Privy Council is only called on rare occasions to tender advice to the Crown.

To-day, after more than two hundred years of quiet and strong growth, the Cabinet System is firmly fixed in its curious position of sharing with the Crown the final executive authority in government. It cannot be done away with because it provides in itself the *only means of reconciling the two institutions of Parliament and the Crown*. The position is: Parliament trusts the Cabinet; the Crown trusts the Cabinet. Both surrender powers

*on trust* to the Cabinet. So the whole procedure of high government works smoothly—as we shall see in the next chapter.

The last point to remember is this. The High Court of Parliament is *legally* the seat of the Government. The *Cabinet*, although invested with the highest functions of government, is only a customary and convenient arrangement *which is not recognized by law*. Therefore, the Cabinet is directly responsible for its success or failure to the High Court of Parliament, *i.e.*, the Crown and the Two Houses of Parliament.

### Questions.

1. How do the duties of Government increase?
2. Explain: "The Cabinet *reconciles* Parliament and the Crown in Government."
*3. Explain: "The Executive power of the Cabinet."
*4. Explain: "The Cabinet is only a customary, NON-legal arrangement."
5. Who are the Ministers of the present Cabinet?
*6. How far has the Cabinet been modified during the war?

## CHAPTER VIII.

### THE WORK OF GOVERNMENT.

We are a *self-governing* people. Therefore the work of government starts with ourselves as the "people" who form the State. We, each as a citizen, play our small part when the Elections to Parliament take place. Possessing the right to the parliamentary vote (*see* Chapter X), each citizen *ought to use his right* on these great occasions, and thus help the parliamentary candidate, whom he favours, to win the seat, together with the honour of representing the constituency. The citizen who neglects his vote or refuses to vote is unworthy of its privileges.

In a parliamentary election there are generally two candidates at least to contest the seat. They belong to opposing political parties. Indeed, the election is nothing less than an *appeal* to the "people" by each of the great political parties for their support. Each party, whether it be Liberal, Labour, Conservative, Unionist, or any other, is then claiming that its principles, its policies and its ideals are the best that we can accept in the matter of

government; and that its big men—its leaders—are the best men to hold the highest offices in the government. Who these "leaders" are, we, as an intelligent "people," are supposed to know; so also ought we to know what are the *principles*, *policies* and *ideals* of each political party. In fact, we are supposed to be *wise* enough to choose the best of the parties; the election gives us our chance to do so. To make this choice wisely is a heavy responsibility. It also clearly needs much political knowledge. Every citizen ought, therefore, to try and educate himself as much as he is able in politics.

The Election is over. One party has won. The first stage in the work of Government—and the easiest—is finished.

The second stage now begins, and is much more difficult. It is here that we see the High Court of Parliament and the Cabinet playing their parts, separately and all together.

In the new Parliament let us suppose that the Conservatives have won the Election and have a majority of members. They are entitled by constitutional custom "to govern" the State. Note this phrase: it means much—nothing less than that the King invites their leader "to form a government," *i. e.* that the leader of the party shall himself accept the honour of being Prime Minister, and shall choose from his party the most able men to fill up the various high offices in the government.

If he does this and "forms a government," he and his colleagues become the King's Ministers and form *The Cabinet* for the lifetime of the new Parliament only. Each minister chosen has to be submitted to and approved by the Crown, for as we saw (Chapter VI) the Crown has the right to hand over to him temporarily a part of its sovereign power.

The Cabinet, once set up, is known as the King's Government. It is finally responsible for the work of governing the realm. It does so with the approval of both the Crown and Parliament only by virtue of the powers to govern given to it by both. It frames the government on certain lines of conduct known as policies; and these, in turn, are based on the political principles of the party it represents. Affairs at home, foreign relationships, imperial interests—all the vital interests of our State have to be controlled and safeguarded primarily by these few men.

Generally, each man in the Cabinet holds some great office which makes him responsible for a certain large State interest; *e.g.* Mr. X. is to-day a member of the King's Government, *i.e.* a Cabinet Minister. He holds the high office of His Majesty's Secretary of State for War. He has full charge and full responsibility for the Armies of Britain and everything connected with them and their life. In thus giving each Minister a large State interest to

control, the enormous work of modern Government is divided up and made easier to do thoroughly.

"*Cabinet Responsibility.*"—The Houses of Parliament approve of this arrangement of the Cabinet—on one condition. This is that every Cabinet Minister shall be a Member of Parliament *and be responsible* for his work to Parliament and the Crown. This is exceedingly important. It involves what is called *Ministerial Responsibility*. In insisting upon it the High Court of Parliament—the *legal governing body*—compels the Cabinet—the *non-legal governing body*—to acknowledge its high authority. This practice of *Ministerial Responsibility* is, of course, fully accepted. And, very frequently in Parliament a Cabinet Minister has to explain and to justify his actions and policy. If a Minister proves unworthy or inefficient or traitorous, Parliament can demand and secure his resignation. Moreover, the House of Commons has the ancient right of "impeaching" a Minister (*see* Chapters IV, V). In this way the legal authority of the High Court of Parliament is maintained over the supreme executive body in the Constitution.

*Party Government.*—In the House of Commons the Conservatives as the victorious party, *i. e.* the party with a majority of seats, would generally support their Cabinet. They represent and support the King's Govern-

ment. The other parties would usually be in "Opposition." Representing political views and principles different in type from those of Conservatism, these parties would naturally "oppose" Conservative ways of government. Having a majority, however, the Conservatives would usually win in the voting lobbies, provided that their members remain loyal to their party.

This system of Party Government is a very good and quite a natural system. Men will always take sides; and there are always at least two sides to every question. In the debates and discussions in Parliament all the sides of every question are brought to light: and the Bill under discussion is bound to be the best, or improved until it is the best, that could be passed to meet the particular need, as the result of the criticism by members and parties who "oppose" it.

Although *Partyism* in political life is to-day severely organized, and disloyalty to his party by any M.P. is regarded as a sad fault, it must not be thought that the various parties are always fighting or "opposing" one another. There are many occasions when peace reigns in Parliament; and many a Bill which is clearly designed to meet some urgent national need is passed through with little or no "fight" as an "agreed measure." Whatever be the private views of the members, or the principles of Party, the vital needs of the State

must always come first for consideration. And it is a highly satisfying thought that our Party System of Government is not so rigid as to prevent combined or agreed governmental action by all Parties *when it is needful*—and is yet rigid enough to allow strong and critical "opposition" in the course of *ordinary* government. That Patriotism comes always before Partyism must be true of any healthy State Government. We certainly proved this in the war crisis of 1914–18.

*The Work of Parliament.*—This leads us to consider the actual work done by Parliament. We saw that Parliament has no *executive* work to do, for it agrees to leave all that to the Cabinet. It is the only satisfactory arrangement. It is enough that the Cabinet is directly responsible to, and under the Control of Parliament. There is, however, plenty of other important work to occupy Parliament's time and activities. We can divide this into three parts: (*a*) Law-making; (*b*) Administration of the law; (*c*) Taxation.

(*a*) *Law-making.*—Bills can be introduced into either House—except that no "money Bill" can be dealt with first in the House of Lords. Three readings are given to each successful Bill, and decisions are taken by vot ng. If the Bill passes through the House of Commons first it is sent to the House of Lords. There it is debated again as a fresh Bill. If it is amended there, it is sent back

to the House of Commons for their approval. If the House of Commons agrees the Bill is then finally passed. If the House of Commons does not agree they return the Bill as it originally left them to the House of Lords. This procedure can only be repeated three times with any Bill. After the third passing by the House of Commons it can become law under certain conditions, despite the House of Lords (*see* Chapters IV, V).

When the Bill is passed it is taken to the King for his signature. The king can legally refuse to do so if he wishes. But no case of the "veto," as such a refusal is called, has occurred since Queen Anne vetoed the Scotch Militia Bill in 1707. Once the royal signature is put to the Bill it is an Act of Parliament and is placed on the Statute Book, *i. e.* it is a law of the realm.

The necessity for good and just laws throws a heavy responsibility on to Parliament, which is the only *legislative*, or law-making Assembly. In the exercise of this important function its real governing authority is clearly seen. Only a sovereign power can make laws. In this function, too, you see clearly all the three parts of the High Court of Parliament *working together* as the government.

(*b*) *Administration.*—Law is useless unless it is carried out—and justly. To secure obedience to the law is then the next great duty of Parliament. This is so tremendous a task

that it needs the enormous system of *Administration* which the Government has slowly created—a system which we shall look at more closely in the next chapter. Here it is only necessary to note that the work of government involves securing the people's obedience to law and the just application and carrying out of the law—and Parliament is in the end responsible for this.

(*c*) *Taxation.*—Important as (*a*) and (*b*) both are, it is only true to say that Parliament's duty of raising taxes is probably more important. As we shall see in Chapter XI, money is absolutely necessary to run the business of the State Government. Money in vast quantities too! All the best law-making in the world and the finest system of its administration would be useless unless the State as a "going concern" could pay its way. The expenses of the State-Government vary with the needs of the government. In peace time our ordinary expenditure is just over £200,000,000 a year. In war time expense becomes enormously increased. During the great European War (1914–18) Great Britain had to find over £7,000,000 a day to pay her way, and at the end she was in debt to the figure of about £8,000,000,000. To raise money for this high purpose of meeting the expenses of government is the sole right of Parliament. It is called their right of *Taxation*. Unless they provided in this way for the State's

financial needs year by year, and saw to the proper spending of the vast sums raised, Parliament would be grossly neglecting their duty.

As we saw when reviewing the history of the House of Commons (Chapter V), had it not been for the King's need of taxes Parliament would probably never have been born. It was, however, an ancient rule that no taxes should be levied by the King "*without the consent of the realm*," except the customary taxes. When extra-taxes were desired by the King, the "realm" had to be consulted. Thus it came about that the House of Commons came to regard it as its particular duty not to allow any taxes to be raised unless it had first approved of them.

To-day, of course, the House of Commons has full and absolute power in this important matter. It can raise what money it likes. The House of Lords has no power to interfere (Chapter IV); and the king always agrees to the proposals of "his faithful Commons." Representing the "people," the House of Commons has the right to ask the "people" to pay in taxes what is needful for the financial year. During the Great War we broke all records. In response to exceedingly heavy demands by the House of Commons for sacrifices, the State raised over £700,000,000 in taxes for the year 1917–18; and nearly £900,000,000 for 1918–19! Before the war

our usual yield was just over £200,000,000. Note the difference! Note also that once the House of Commons has decided what taxes they will impose for the year, and the "*Budget*" is passed, the "people" are by law compelled to pay. (This important subject is more fully dealt with in Chapter XI).

In the carrying out of these three functions, in the keen debating of every question arising from them, in the careful watching of the work of the Cabinet as a whole and of each of the King's Ministers in particular, Parliament has enough to do. It is all the time endeavouring to secure the sound government and the welfare of the State. And its best way of doing this is to support the Cabinet which is actually responsible for the government—provided always it considers the Cabinet worthy of support.

If in the opinion of Parliament the Cabinet is failing to do its work properly, its action or policy, or the work of some important Minister is challenged in Parliament. In the debate which ensues a resolution of "*No Confidence in His Majesty's Government*" might be put by the "Opposition"; or the Prime Minister might choose to regard the issue as one of "confidence." If the Prime Minister (representing the Cabinet) is defeated, clearly he has lost the confidence of Parliament, and he and his "Government" are by constitutional custom bound to resign. Here we see the value

of "Ministerial Responsibility" of which we read previously.

When the Cabinet (the "King's Government") resigns, all the Ministers return the keys and symbols of their offices to the King from whom they received them.

The defeat and resignation of the Cabinet is also a sign that it is time for the great political parties to appeal once more to the "people." So another "General Election" takes place, and the whole circle of the "work of Government" starts to revolve again.

It is interesting in this connection to notice two facts. (i) The life of Parliament is fixed by law. By the Parliament Act of 1911 it was decreed that no Parliament could sit for longer than five years. At the expiry of this period a General Election *must* take place. A shorter life is, of course, possible.

(ii) What happens when the Parliament has been "dissolved" by the king, and there is no Cabinet or "King's Government"? Is there no "government" during the time of the General Election, or from the resignation of one Cabinet to the formation of its successor? Yes! The Crown, having resumed all its authority when the Cabinet resigned, again exercises full sovereignty. The Privy Council is always at hand to assist, if necessary. In this way, the value of these *permanent* features of our constitution is proven.

## Questions.

1. What part does the electorate play in Government?
2. The value of Party Government.
3. The doctrine and practice of *Ministerial Responsibility.*
*4. The meaning of a "Coalition" Government.
5. The functions of Parliament.
*6. Discuss "constitutional custom" as opposed to law.

## CHAPTER IX.

### THE "MACHINE OF GOVERNMENT."

*Governmental Work outside Parliament.*—In the last chapter we saw the government of our State at work. Our view was, however, really limited to the work of the High Court of Parliament. It is now necessary, if only to complete our view, to look at the work of government *done outside Parliament*—at the vast machine which has, during the last two hundred years, been organized and perfected to do it thoroughly.

First, let us remind ourselves of the fact which we have learnt before, that to govern successfully our modern State with its many millions of people is a tremendous business. If we go further and think of our Empire with its hundreds of millions of people, the "business" of government becomes so vast an affair that we can scarcely imagine it.

Clearly all the work of the High Court of Parliament—absolutely essential and of first-rate importance as it is—would not *by itself* be enough to govern our State and Empire. Law-making is necessary, we know, but it is useless unless the laws are *administered* in the State.

To pass certain taxes in Parliament is one thing: to collect them from the millions who have to pay and to compel them to pay if they refuse, is quite another. That you are all attending school is in consequence of the Education Act, 1918: that Act was the work of Parliament: the organization of schools and teaching, however, is not the work of Parliament.

These examples—and hundreds more might be given—prove that the work of Parliament is only the first stage in the immense task of government; that *outside* of Parliament is an enormous organization—a "machine," I have called it—by which the Law and Order of the State is carried out and maintained.

Now this "outside" organization and its work can be divided into two big parts:

(i) *The Legal System,* which exists to *punish* those who break the Law, and to see that justice prevails in the disputes of citizens. This system is so great and important that it must be considered separately in another chapter (Chapter XII). Just note here that it is an essential part of the "machine of government."

(ii) *The Departments System.*—This system is equally great and important. But its work has quite the opposite aim. It does not punish; its duty is *to assist the millions of members of the State to obey the Law.* The measure of its help is quite full. In high and low, large and small matters affecting the order and security of

State life—it freely helps us all to understand and carry out the will of Parliament. It is this system which will be considered in this chapter.

These Departments are called Government Departments, and act under and with the full knowledge, approval and authority of Parliament. They possess large governmental powers, and these Parliament has empowered them to use. This is necessary if they are successfully to organize the life and order of the State as demanded by Parliament.

Again, there are many of these Departments —no less than forty-eight to-day. Moreover, their number increases. Why? Because in the first place, the needs of the *regulated* State are many and different; and, in the second place, these needs *do* actually increase under modern progressive government. Parliament has often in the last fifteen years passed laws which have brought about large measures of reform in State life and order; and often have these changes been so important that entirely new Governmental Departments have had to be created to see:

(i) That the necessary organization was made for the proper carrying out of these laws.

(ii) To assist people to understand how to conform to these " new " laws.

To illustrate this point let us look at some of the most important of these Departments. The " many and different needs " created by

Law, which I spoke of, will be clearly seen by such a brief glance.

The Navy supplies a vital need: it is our "sure shield," our chief defence. Yet its existence depends legally on only one law of Parliament, passed many years ago. The administration of this law, however, has called into being the famous Government Department known as the Admiralty. Its main block of offices are in Whitehall, London. Their accommodation is vast; their business immense. Subsidiary offices are also scattered over the State and the Empire wherever the naval needs demand. The work of this Department is nothing less than to organize and maintain the Navy as an efficient fighting force. What a task this is, you can guess—*e.g.* in the year 1918–19 the actual amount of money spent on the Navy was £250,000,000; the number of its personnel about a quarter of a million men; the amount spent on new ships, etc., about £70,000,000. The life of the Navy as a huge whole, as well as the life of every single sailor, is the real concern of the Admiralty. The Admiralty is authorized by Parliament to do all that is necessary to satisfy this national need—in accordance with the Law; and the Admiralty is held firmly responsible for success or failure.

Again, take the Army. The Army Bill is passed in Parliament every year. The actual work of *administering* that law is done at the

War Office—a "Governmental Department" that quickly grew into a giant among organized offices during the great War.

Again, take our Empire. Its governmental needs are clearly urgent and many. The Colonial Office and the India Office share between them, as "Government Departments," this mighty burden.

Again, take the ordinary life at home. If you think about it, it is very much "ordered." Why is this? Simply because there are various Departments all doing their best to administer the "many and different" laws Parliament has from time to time passed to order and control our social welfare—*e. g.* the Home Office is the chief of these Departments and exercises naturally a general control. Its own special concern is to regulate our system of police work and prison life and generally to assist people to observe and to obey the Law. The Board of Trade, the Board of Agriculture, the Post Office are others of these Departments. The educational life and work of the country also deserves mention here. It is, of course, all organized and carried out under the authority of the Board of Education.

Again, take Ireland or Scotland. Their needs are clearly different from ours. So they, too, are administered through separate Departments. And so on. The list could easily be expanded by the inclusion of the Foreign Office, the Ministry of Food, the Ministry of Munitions, the Ministry

of Health, the Ministry of Ways and Communications, the Ministry of Labour, and others—all of them real "Government Departments."

I leave the most important one, however, to the end—*The Treasury*. This office is responsible for the gathering in and the spending of the taxes. Its work is to get the money which all the other Departments need to pay their way. It is, so to speak, the Counting-House of the Government (*see* Chapter XI).

Thus, you see, is this immense "machine of Government" necessary to complete the work of government begun in Parliament.

Further interesting points to note about the Departments are:

(i) They are run by permanent staffs. There is, of course, an ever-increasing mass of clerical work to be done, and many thousands of men and women of average education secure Civil Service Clerkships. The many higher posts and the really important appointments are held by men of first rate ability and long training in the special work of the Department: these men are called "permanent officials." Although they are really unknown to us, these highly placed men are very powerful, and, in ordering the administration of the law through their Department, affect all our lives to no small degree.

(ii) They are all beneath Parliament; all hold their authority from Parliament and are responsible to Parliament. How is this

supremacy of Parliament secured? It is interesting to see. In two ways:

(*a*) These Departments need money—very much money! They are all like business organizations, with branch offices and representatives all over the kingdom and empire. Their running expenses are enormous: the "machine of Government" is exceedingly expensive. Now, who holds the money-bags? Parliament! From Parliament only can they get money, and unless they can satisfy Parliament at least once a year that they are *spending it well* in the rightful administration of the law, Parliament can refuse to grant them any. In its power to grant or withhold, and its control of expenditure, Parliament has an instrument by which it can always maintain its supremacy in Government.

(*b*) The system of modern Cabinet Government also makes Parliament absolute master of the "Machine of Government." Over each chief Government Department a Cabinet Minister is appointed. Indeed, he holds his place in the Cabinet only by virtue of this high appointment. This office is officially called "A Secretaryship of State." He receives the "keys of this office" from the King, whose minister he becomes. As Secretary of State for his Department, he is chief of it, and can adopt what line of work and administrative change he likes—but he is *responsible* both to the Cabinet and *to Parliament* for his own success and the success of his Department; *e.g.* the Rt. Hon.

Mr. H. A. L. Fisher is the Minister to-day, who is the President of the Board of Education. He is responsible for the work of the Board of Education—*i. e.* he is responsible for the whole of the organization and administration of education which the Board undertakes. In Parliament he, as the Minister of Education, must ask for enough money to run his Department. To justify the request he has to prepare "Estimates" of what he thinks the educational expenditure will be for the following year. These "Estimates" are discussed in Parliament at a fixed date once a year, and if passed, the money is promised. (It sometimes happens that Parliament "cuts down" the "Estimates" of Ministers.)

The *ministerial responsibility* we spoke of when talking about the Cabinet (*see* Chapters VII and VIII) can be seen clearly existing in this case. Mr. Fisher is responsible to Parliament for the educational life and activities of the people. He is the *vital link* between Parliament and the Board of Education—the Department. Parliament insists that he shall accept this responsibility to the full. And the same constitutional rule prevails in every other instance of the Department governed by a Minister.

*The Departments and the Cabinet.*—Here, too, we can see more clearly what was meant by saying that the Cabinet is the chief *Executive* power in the Government, and that Parliament has no executive functions to perform (Chapter

VIII). The responsibility which each Minister has for the right administration of the law by his own "Department" gives him an executive power over his "Department." The Cabinet in directing and controlling the work of the Government Department displays executive authority. But its individual and collective responsibility to Parliament for decisions and policies adopted is quite another matter.

In this connection, too, the value of the "permanent officials" in the highest posts in the Departments is seen. The Minister who holds the chief office of State Secretaryship is *not* permanent. He may resign at any time. The Government may fall. He is at best only the Government's representative who has to be responsible for the Department. Consequently, the real work, following a continuous policy of development, must be organized and controlled by the "permanent officials" whose life training has been devoted to this end.

Linked to Parliament by the very strong link of Cabinet executive control, this huge "machine of Government" of the Departmental system goes whirring on its course from year to year. Its efficiency is not doubted. That we, as a nation, are governed satisfactorily on the whole we readily admit; and, of course, we know that this is largely the result of the administration of the law by these Departments.

Yet it ought to be pointed out that nowadays there is a widespread feeling that we are being ruled too much by the Departments and

too little by Parliament; that, during the war and after, the creation of new Departments went on unchecked until every large hotel in London was a Government office; and that the larger the Departmental system grew, the weaker became the control of Parliament over it. The vast expenditure of these Departments is pointed out as one sign that Parliament is not exercising its rightful supremacy.

That the "machine" has grown enormously is true. Yet the needs of the State demanded such growth. The "ordering" of our social and industrial life is increasing year by year. State-control, *i. e.* Government control, means that laws are passed in Parliament ordering some change in social and industrial rules and management—and these new laws clearly need new Departments to administer them. That we are being more and more governed by the Departments is the result of our being more strictly governed by Parliament. And so long as the Cabinet system exists and the doctrine of "ministerial responsibility" maintained, Parliament will never lose its supremacy over the Departments, for the reasons given above.

QUESTIONS.

1. What is meant by administrative work?
2. Describe a "Government Department" and its work.
3. Discuss the control of the Departments by (*a*) Parliament; (*b*) the Cabinet.
4. Why are "permanent officials" necessary?
*5. Bureaucracy.
*6. The economy of this system of administration.

## CHAPTER X.

### THE ELECTORATE—THE PARLIAMENTARY VOTE.

*The Electorate.*—The *Electorate* is the name given to all the electors of the State when they are considered as one body. It is a political word. Each elector has the right *to vote ;* that is, he or she has the legal right to play some small part in the great task of Government. To-day the Electorate is vast in size: it numbers between nineteen and twenty millions of voters. Not so many hundreds of years ago *it did not exist.* How has it grown? What people can belong to it and have the vote? What is its value to the State? Do electors value their right of voting? How do they use it? These and many such questions arise when once we get into this interesting subject. First, we will trace the growth of the Electorate: in doing this the history of the vote itself will also be learnt.

I. The Electorate and the privilege of the vote was first won by the people in the Middle Ages. To-day it seems strange to our democratic ideas that there was a time when no one had the vote. Yet before the thirteenth century it was unknown in our sense of the word. In the

early days, as we saw (Chapter VI), the King was all-powerful. He ruled practically alone. He was the Lord of his People. All obeyed his will—which was the Law. He had power of *life and death* over them.

II. When our kingdom became settled and united (Chapter II) the task of governing it became greater. So the King gathered around him his Council of Wise Men (the Witan) to assist. This use of a council for the purposes of Government grew with the needs of the times. Although the King's word was still Law, yet most matters of importance were discussed at the King's Council, and decisions were sometimes reached by VOTING, *i.e.* the Councillors merely gave their opinions. Here is the real beginning of the political vote. Then they had various ways of giving their opinions. For example, they shouted altogether and the loudest party won; or they "voted" by a "show of hands"; or by holding aloft their swords; or, in later times, they wrote down their "Yea" or "Nay"; or they filed out of different doors of the Council Chamber and were counted—much in the same way as M.P.'s in our Parliament do to-day (*see* Chapter VIII).

This first rude use of the vote allowed only the greatest Noblemen to play a part in Government. All the rest of the people and nobility were shut out. This state of things lasted for centuries, right down till the thirteenth century, or for 200 years after the Norman Conquest.

But during this long time (to 1300) the nation had grown rich and strong, and had learnt to value good Government. The ideas of *Election and Representation* (*see* Chapter VIII) had grown familiar to the educated and middle classes. At last these classes determined to have a share in the Government, *i. e.* to *elect* their own representatives to the Councils of the King. The King gave way. In 1295 Parliament was finally and properly created, and gradually became very powerful (*see* Chapter V). The representatives of the nation who were sent to Parliament were *elected* by the Vote. *But only the rich*—the Upper Classes—*were allowed this right to vote.* They, together with the noblemen, then had the control of the nation's share in the Government. This state of things continued for nearly six hundred years—till 1832.

III. (*a*) During the eighteenth and nineteenth centuries the people openly claimed the vote. In 1832 a great measure of political reform gave the vote to a large class in the nation, and thus allowed them as citizens to help in the Government. In that year the *Reform Bill* was passed. It widened the Electorate. It was the first real step to National self-government. Millions of men gained the vote. Who were they? Those *rich enough* to fulfil certain conditions. These conditions were:—

Before 1832 a voter who lived in a "County" (*see* Chapter II) had to possess land worth at

least £40 a year. This was his PROPERTY QUALIFICATION for having the vote. A voter living in a "Borough" had also generally to possess rich property or to pay a heavy rent.

The Reform Bill *lowered the amount of the Property Qualification.* It allowed all county men who possessed land worth £10 a year, and all "Burgesses," who paid at least £10 a year rent, to have the vote.

This lowering of the Property qualification was most welcome to the upper and fairly rich middle classes. It added millions of them to the *Electorate.*

Important as this reform was, it was only the *first* of the *four* great successful efforts "to widen" the Electorate in modern times.

(*b*) The struggle to get the "Property Qualification" lowered so that all men might have the vote continued. The whole of the Lower Middle Classes and all the poor were still unqualified for the vote.

In 1867 another reform was made. (i) County men who paid £12 a year RENT were given the vote: it was no longer necessary to own land. (ii) Burgesses who were ratepayers, or men who were *lodgers* and paid £10 a year rent also got the vote. But all who claimed the vote on the ground that they paid the fixed amount of rent, had to be resident for at least ONE year.

(*c*) In 1884 the third reform came. You have perhaps noticed that the Property

Qualification was different in the "County" and the "Borough." This difference was now done away with. No matter where a man lived, he had the vote if he *owned* land worth £5 a year, or was a householder or a lodger paying £10 a year *rent*. These two reforms of 1867 and 1884 added nearly four millions of voters to the Electorate.

(*d*) In 1917 (Representation of the People Act), the last and the greatest reform was passed. The vote was given to all men who had the right to demand it by fulfilling the very lenient conditions of (i) Residence of six months. (ii) The same property qualifications as before. *Women*, too, at last got recognition as voters. By this reform the Electorate was considerably widened by an extra two millions of men and *nine* millions of women.

*Qualifications for the Vote: Meaning.*—You have perhaps wondered why it took so long for the People to gain the right to vote. Also, why a *property qualification* was and still is considered necessary. Also why it took so long to make this condition small enough to allow most men to fulfil it. The answer to these questions is as follows:

The Government has always insisted that voters must have *a definite interest* in their country. Centuries ago, when the rich alone had the vote, this argument was very strong. The rich did indeed have an "interest" in helping and in guarding the prosperity of the

country; in fact, they did not think that the *unpropertied* classes had any *share* in the country, and therefore any right to representation in the Government.

Now what is "*a definite interest*"? It cannot be proved by words or speeches or actions. A traitor can make speeches as well as the best citizen. Some proof of real value is demanded of a citizen's definite interest in his country.

This proof is found in the "*possession of property.*" A man values his property: his property is IN the country; therefore it is supposed that he will do his best for his country, for in doing so he will be doing his best not only to increase the value of his own property, but to defend it as well. He has an "interest" in the State worth looking after—quite apart from his actual membership or citizenship of the State.

Nowadays, when the *property qualification* is measured only by the payment of £10 a year rent, and in the case of the simple ratepayer does not really exist at all, it might be thought that this argument does not hold good. But the willingness of even the poor man to live in a country and to labour for its welfare, instead of emigrating (as he can) to another land, is a proof that he has *some* definite interest in his country. The idler, the tramp, the criminal usually have no "*property qualification.*" Thus, the insistence on (i) the minimum *property qualification*; (ii) the "*residence* qualification,"

prevents such unworthy people from claiming a vote in the affairs of the nation.

(*a*) *The Vote is a Right.*—The first meaning of the vote is, therefore, that it gives a man or woman the *right* to have a small but definite share in the government of their country. As most men and women now have the vote, the British People can be said to be a "self-governing People." Here is a RIGHT or a PRIVILEGE!

(*b*) *The Vote Carries with it a Duty.*—The second meaning of the vote is that it obliges both men and women to think of and act for the welfare of their country. They must, as electors, think of themselves as small but important parts in the government of a great nation: their own *personal* wishes and interests must always be put second to the wishes and interests of the nation as a whole when the time comes for them to exercise their right of casting their votes. This putting the needs of the State first and personal wishes second is the DUTY inseparably attached to the Vote.

Thus has the Electorate grown. Numbering nearly twenty millions to-day, it is the rock-bottom on which our complete scheme of democratic self-government is built.

When it is understood how and why the Electorate grew to its present greatness and political power, both these two meanings of the Parliamentary vote—its RIGHT and its DUTY—will also be clearer. To understand both is highly important nowadays.

QUESTIONS.

1. Refer to Chapter II and relate the Vote to Election and Representation.
2. Why were the People shut out of the Electorate before 1832–84?
*3. Why did Lord Derby describe the Act of 1867 as "a leap in the dark"?
4. Why were women excluded from the Franchise till 1917?
*5. Illustrate the corporate value of the Vote.
6. What is a By-Election? What is its necessity and value?
*7. Discuss (i) Adult Suffrage. (ii) Plural Voting.
8. Ought there to be an examination test to qualify for admission into the Electorate?

# CHAPTER XI.

## TAXATION.

Mention has already been made in this book of the money which the State has to raise in order to pay its debts; references to this important matter will also appear frequently in the following chapters. It is, therefore, advisable at this point to see more clearly what (i) money is raised by the State for State needs; (ii) how it is raised.

First of all, it must be remembered that this money falls into two well-known divisions: (i) Taxes; (ii) Rates. *Taxes* are the sums of money raised by the Central Government. *Rates* are the sums of money raised by the Local Government Authority. As we are here dealing with the Central Government, this chapter is devoted to Taxes. Later on, in its right place, the subject of Rates will be dealt with (*see* Chapters XVII and XXXIII).

In the second place, it must be known that all the money raised by the Central Government—that is, all Taxes—is handled, controlled or administered by the *Treasury*, one of the great Governmental Departments we learnt something about in the chapter on the

"Machine of Government." The Treasury is, in the opinion of most people, the most important of all the Departments. At any rate, the Prime Minister himself is at its head, and is really responsible for its work—his ministerial office being the First Lord of the Treasury. Prevented, however, by his manifold duties from carrying out fully the duties of this office, it has become a long standing custom for the Prime Minister to appoint another minister to discharge the highly important task of controlling the Treasury. This minister, needless to say, must be skilled in money matters—and usually is. His office is known as the Chancellorship of the Exchequer. With every successive year this great office becomes more difficult simply because every year sees increased demands made upon the Treasury and, consequently, more taxation to be levied upon the State. For example, the total money needed in the year 1900 to discharge our public expenditure was £144,064,823; in 1910 it had risen to £163,171,000; in 1914, the year in which the European War broke out, it was £569,840,000. During the war, so vast were our expenses and so high did our debts become that the sum required mounted to about two thousands of millions annually. It is difficult even to imagine these colossal figures and their meaning of *worth*: it is also difficult to understand the task of a Chancellor of the Exchequer who is responsible for them, and all they mean to

Parliament and the State; but it is at least imaginable.

If we were to examine the causes of this tremendous expenditure of the State year by year, we should take up far too much space. Here it must be sufficient to say that it represents the bill of expenses incurred by the "running of the State" year by year. The upkeep of our Navy, our Army, our Civil Services, our educational system, the costs of Governmental administration, Old Age and War Service Pensions, the payment of interest on the National Debt, etc.—all demand of the State this annual outlay. As in all successful businesses, the State must pay its way. Therefore, the vast yearly Bill has to be cheerfully footed. Parliament, "the custodian of the Public Purse," is trusted by the Electorate to see that the Government works as economically as possible, and that no dishonesty on the part of State officials unduly increases the Bill.

*The Annual Budget.*—As we have seen, the control of all matters concerning State money and expenditure is invested in the House of Commons. This control is its greatest power. Once every year, at least, is it called upon to exercise this supreme authority. This occasion is generally at the beginning of April and during the ensuing weeks. At this time the Chancellor of the Exchequer "introduces" his BUDGET. The Budget is a statement of:

(i) The amount of Taxes levied in the past year. The total amount is called the *Revenue*.

(ii) The total expenditure for the past year.

(iii) Whether there is a balance or a loss on the year's accounts.

(iv) An estimate of the amount required for the coming year's work.

(v) Proposals of taxation which are designed to raise the amount of money required.

Details are, of course, given as fully as is necessary.

No. (v) is the most interesting to the ordinary citizen of the Budget details. He wants to know what taxes are to be raised—whether his sugar, tea, beer, tobacco, etc., will cost him more or less, how much his income tax will be, and so on.

To illustrate all this, let us take the Budget for 1919–20, introduced into the House of Commons by the Rt. Hon. Mr. Austen Chamberlain on April 30, 1919. Here is a statement of its main conclusions—

| | | £ |
|---|---|---|
| (i) Total Revenue for 1918–19 . . | | 889,210,000 |
| (ii) ,, Expenditure for 1918–19 . | | 2,579,301,000 |
| (iii) Deficit on the year's work met by borrowed money (Loans) . . | | 1,690,280,000 |
| (iv) Estimated Expenditure 1919–20 . | | 1,434,910,000 |
| (v) Estimate of Revenue to be raised by taxation 1919–20 . . | 1,201,100,000 | |
| (vi) Estimate of Loan required . . | 233,810,000 | |
| | 1,434,910,000 | 1,434,910,000 |

Under (v) come the proposals for the taxation during the year 1919–20 to give the vast yield of £1,201,100,000. They run into a long list. The chief are:

(*a*) Income Tax at the 1918-19 rates.

(*b*) Excess Profits reduced from 80 per cent. to 40 per cent.

(*c*) Death Duties: increased scale up to 40 per cent.

(*d*) Beer and Spirits Duties increased.

(*e*) All other taxes imposed dating 1918–19 to remain the same, except the Luxury Tax and Motor Spirit Licences, which are to go.

This Budget or Annual Statement of State Accounts in Parliament is fully discussed in the House of Commons. The details under heading (v) are especially debated. If the House of Commons is satisfied the Budget is "passed"; and the State is called upon to pay during the ensuing year the necessary and approved taxes to the officials of the Treasury.

*Kinds of Taxation.*—State Taxation is of two kinds: (i) Direct; (ii) Indirect.

*Direct* taxation is a tax levied directly upon the individual citizen—*i. e.* paid directly into the hands of a Government official. The Income Tax is the best example of this kind. This tax is levied on one's actual income, earned (over £120 a year) or unearned. The Excess Profits Tax, levied during the war, really falls under this head. Both are exceedingly good in yield. In 1918–19 no less than £290,000,000

came from Income Tax; from the Excess Profits Tax about £285,000,000. Carriage and motor licences, dog licences, gun licences, legal stamps, etc., are other instances of Direct taxation.

*Indirect* taxation is money levied indirectly upon the various commodities which are taxable. For example, I pay 8¼*d.* for a pound of sugar. Of this 8¼*d.* so much is "duty," which has to be paid on this commodity to the Government. Or, if I buy a pound of tea, I pay *indirectly* so much more by way of "duty" to the Government. And so on.

*The National Debt.*—Reference was made above to the National Debt. This is an important subject in connexion with this matter of taxation. Frequently it happens that an enormous expense is unexpectedly forced upon the State, which the Treasury cannot possibly bear on the ordinary annual revenue. In such cases the Government has to *borrow* money. Appeal is made to the people to lend the State their spare money at a stated rate of interest, say, 4 per cent. or 5 per cent. The unusual and heavy costs of war are usually met in this way. During the Napoleonic Wars we had to raise over £800,000,000. During the nineteenth century our National Debt was increased and decreased slightly according to the turns of Fortune's wheel. In 1914 it stood at over £700,000,000. Then came the Great War. So mighty a

struggle cost a prodigious sum: our Debt rose like the thermometer in hot weather. Loan after loan was necessary to pay our way. And to-day we are face to face with the huge debt of £7,680,000,000, according to the last Budget (1919–20).

This sum may well stagger us, but we may recover when we reflect that the *credit* of our Empire was and is quite strong enough to stand the raising of it, and that so long as we can pay off the *interest* to those who have lent us the money, our children and grandchildren may, in happier days, be able to pay off gradually the best part of this heavy burden.

The interest on the National Debt is a State charge. It is paid by the State and has to be met by taxation. The amount necessary—roughly about £350,000,000 in 1919–20—is, of course, included in the estimated expenditure for the year and is provided for by the Chancellor of the Exchequer in his annual Budget.

It may satisfy some to know that the Chancellor of the Exchequer is always fully alive to this grave drain on our resources, and has plans for checking it when possible. The most favoured plan in days gone by was the setting up of a Sinking Fund; *i. e.* so much is set aside every year to "buy out" or "pay off" so much of the capital of the Debt. In this way the Debt is gradually reduced. Our need of money, however, is so urgent nowadays that it must be a long time before our Debt-Capital

will be reduced. As it is to our highest interests to reduce our Debt, we may rest assured that the Government and the House of Commons will not miss any opportunity of doing so which may arise.

QUESTIONS.

1. What is Taxation?
2. What is the Budget?
3. Discuss the different sorts of Taxation.
*4. How has the National Debt arisen?
5. What are the functions of the Treasury?
6. Look out in Whitaker's *Almanack* the sums raised last year by the various Taxes.
*7. How will the new system of Colonial Preferential Tariffs affect the Revenue?

## CHAPTER XII.

### THE LAW.

WE have already agreed that it is useless for our High Court of Parliament to make good laws to order our State life on the best lines unless there exists some sound system by which these laws are applied or *administered*. That law is necessary we must all agree: that there are, unhappily, many thousands of people who refuse to obey the law, we must also agree. It is, therefore, quite clear that the Government must provide for a suitable means—a satisfactory machine—to make all members of the State respect and obey the law and to punish those who do not. This means a machine is provided in our wonderful system of law-courts, legal administration, and police services.

It is impossible to trace here the history of the growth of this system. It is far too wide a subject. It must be sufficient to say that we, as a race, claim the distinction of being one of the greatest law-making peoples the world or civilization has known. We rival the ancient Romans in their splendid *legal genius*, *i. e.* their power to make law *and their power to administer it.* From the earliest days of our State life

our law, our respect for it, and administration of it, have been our pride. It was our fortune to have as kings many wise and famous law-givers. Alfred, Henry II, and Edward I stand foremost among them. They improved the organization of the Courts of Law, the training of judges and lawyers, and the methods of legal procedure. Indeed, so quickly did we advance in this important matter, that by the time of Edward I (1272–1307) our law and legal system were the envy of European nations, and so complete and so sound was it that in its organization it *continued almost unchanged* until the early part of the nineteenth century.

The modern State, however, is so different from that of the Middle Ages, in size, in its way of life, in its governmental work and needs, that clearly changes in our legal system became necessary—if only to keep pace with the needs of the people. The nineteenth century, therefore, saw much change: and in the year 1873 the final reorganization was made.

*Our Modern System.*—We will now learn what is the modern system of legal administration. To begin with, the Courts of Law are divided into two big groups: (i) The Inferior; (ii) the Superior.

(I.) *The Inferior.* (i) *The Petty Sessions.*—This court is the modern descendant of the old Hundred Court (*see* Chapter XIV). It is a local court. It is presided over by local magistrates called *Justices of the Peace.* These men are

not paid for their services. They are appointed in reward for their public services and known honesty of character. Poor men as well as well-to-do men can become J.P.'s. They have power to try and settle the small criminal offences: civil cases of small importance are also sometimes, but rarely, dealt with by them. Crimes of a grave nature they can only examine; then the alleged criminals are "committed for trial" at *The Quarterly Sessions*—a higher Court of Law. An appeal from the Petty Sessions to the Quarterly can also be made.

(ii) *The County Court.*—There are more than 500 local courts of this type scattered over the land. It has not come down to us from the powerful County or Shire Moot of old (*see* Chapter XIV). It is a modern creation. In 1846 this new local system was established. It is like the Petty Sessions, but more important. A judge presides over it. As the amount of legal business in our County Court would never occupy the judge's full time, he takes charge of a group of these courts. These groups are called "circuits," and the judge, in going from one to another, is said to go on "his circuit." There are fifty-five such circuits. Each County Court, however, has its own permanent officials: (*a*) the *Registrar*, who is responsible for all the book-keeping and clerk work; and (*b*) the *High Bailiff*, who sees that the orders of the Court are carried out.

The work of the County Court is wholly *civil*,

*i.e.* it settles "small disputes between one citizen and another." It cannot deal with what are called "crimes." Small crimes, as we saw, are dealt with by the Petty Sessions—the large or grave by the Quarterly Sessions.

(iii) *The Quarterly Sessions.*—This is important. It is also an extremely old Court. It is the modern representative of the famous Shire Moot of the Middle Ages (*see* Chapter XIV). Just as the *local government* work of this ancient court is to-day carried out, generally speaking, by the County Council (*see* Chapter XIV), so also are its legal functions still performed by *the Quarterly Sessions.*

As its name tells, this court of law is held once a quarter. Its judicial power is in the hands of a Bench of Magistrates, or Justices of the Peace. In this it resembles the Petty Sessions. Its work is of two kinds:

(*a*) To hear and settle *appeals* from the Petty Sessions.

(*b*) To try those crimes which were too serious to be tried by the Petty Sessions; but which are not serious enough to be tried by a higher court, *i.e.* by the Judge of Assize.

(iv) *The Assize Court.*—As appeals could be made from both the County Court and the Quarterly Sessions, and as there were crimes too serious to be judged by J.P.'s in the Quarterly Sessions, it was necessary to set up another court with a higher jurisdiction which could settle these cases. Thus the Assize Court was

created. This court is seated at the most important towns and cities in the kingdom. They are grouped into circuits; and at certain times in the year each circuit is travelled by an eminent judge from London. When engaged in this work a judge is known as Judge of the Assize. It is the highest form of the Inferior Law Courts.

II. *The Higher Courts.*—These are all seated in London. To them come all the hardest cases of law administration. They are all extremely important and powerful. By the 1873 Judicature Act, these courts were reorganized on the following lines:

(i) There are three groups of courts which carry on the cases in their first stage. These are called "divisions"; and together form the *High Court of Justice.*

| (*a*) | (*b*) | (*c*) |
|---|---|---|
| King's Bench Division. | Chancery Division. | Probate, Divorce and Admiralty Division. |

Appeal can be made from any of these three "divisions" of the High Court of Justice to:

(ii) *The Court of Appeal.*—This court is presided over by the senior judges.

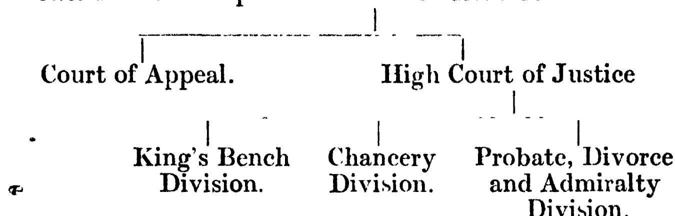
Together (i) and (ii) form *The Supreme Court of Judicature,* and is the *lower branch* of the organization of the *Superior* Courts.

The *higher* branch of the *Superior* Courts is:

(iii) *The Final Court of Appeal* in the House

of Lords (*see* Chapter IV). This court is presided over by the Lord High Chancellor and the Law Lords—the greatest judges our legal world can give us: their settlement is final. Only "Civil" cases can appeal to this court. The judgment of the Court of Appeal is final in "Criminal" cases.

As this statement may be confusing, the following table of the Superior Courts may make it clearer:




This subject of the Superior Courts is difficult to grasp. It wants more study than you can be expected to give to it. The only point you need remember here is that our legal system is magnificently organized and is a machine which makes it possible for every citizen to obtain full *justice*.

The two last points we shall touch upon will further illustrate how it has been and is now possible to get this full measure of justice.

(*a*) *The Appointment of Judges.*—Until 1701 the judges were the servants of the Crown.

The Crown claimed the right to appoint and dismiss them at pleasure. This resulted in the tying of the judges to the Crown. Kings were generally bad enough in those days to insist that their servants—the judges—should secure the verdict they (the Kings) wished in big trials. Grave injustice was thus often done.

To administer the law fairly, the judges must be free men, quite safe in their appointment so long as they do their work well, *and absolutely detached from all political and royal influences.*

In 1701 this much-needed reform was carried through. The " Independence of the Judges " was secured. Judges were freed from servility to the King. They cannot now be dismissed from their appointment unless they misbehave themselves so badly that both Houses of Parliament make a joint address to the Crown to request their resignation. No such instance of the dismissal of a judge has yet arisen. The freedom of the judge to-day is as full a guarantee that he will administer the law *fairly* as we can have.

(*b*) *The Jury System.*—This is commonly known as an important feature of our legal procedure. We are very proud of it—for it is extremely old (*see* Chapter XXV). It is above all things a method of obtaining full justice. The judge may even be prejudiced—a rare event! The prosecuting counsel and lawyers may strive their utmost in argument and with

evidence to prove that the man on his trial is guilty. But, *unless the twelve silent jurymen*—"good and lawful men," as an ancient law calls them—*are convinced in their own minds that the man is guilty*, they will return a verdict of "Not guilty," and no power in the State Government can alter it.

It is our supreme privilege as freeborn members of the British State to be tried at law by the "judgment of our peers," *i. e.* fellow-men. So long as this privilege is ours it is difficult to see how we can fail to be justly dealt with.

QUESTIONS.

1. What is meant by the Administration of the Law?
2. Why should Judges be independent of the Crown and politics?
3. The value of our Jury System.
4. What is a judicial "circuit"?
*5. Why should the Superior Law Courts be seated in London?
*6. What is the importance legally of the "right of Appeal"?
*7. What is the true object of punishment?
8. What is a Stipendiary Magistrate?
9. The qualifications for and exemptions from Jury Service.

# PART II.

## LOCAL GOVERNMENT.

## CHAPTER XIII.

### THE SPHERE OF LOCAL GOVERNMENT.

THE whole area of the British State is divided in a vast number of large and small districts for the purpose of Local Government. The sphere of Local Government is, therefore, any one or all of these districts, in which the right of Local Government is exercised. This right is a civic right: it belongs to the ratepayers who live in the district: it is also exercised by and through recognized local institutions, or authorities set up by the Central Government and elected by the ratepayers. How this process of dividing up the State into smaller units, and what are the various local institutions or authorities by which the difficult work of Local Government is successfully carried on, will be explained in the following chapter. Here, we must look at (i) the need for, and (ii) the nature and scope of Local Government.

The need for *local* government control in

distinctly local matters can best be understood by again using the illustration we took when we dealt with the Central Government (Chapter III). In this the State was likened to a colossal business house with its headquarters in London; the directorate of the vast concern was likened to the High Court of Parliament. The thousand and one district and branch offices and agencies of the firm scattered up and down the country are *now* likened to the thousand and one *local* authorities of government scattered all over the State.

The directorate and headquarters of the business house have more than enough to occupy them in planning and controlling the course their business must pursue. The details of the ordinary business must be supervised and carried out by inferior offices; and, where *local* conditions come into play, the *local* offices and agencies must be responsible for the success of their firm's business. Clearly, also, the directorate of the State—the Central Government—has enough to do in planning and controlling the course of the State. The vast "Machine of Government" with its forty-eight Departments has also more than enough to do in supervising the general administration of the law throughout the State. They have neither time nor opportunity to deal with purely LOCAL matters. Their whole attention is occupied with governmental affairs which *affect the entire State as a whole.*

All the same, purely local matters are very many and very important, and must be supervised and controlled in the same efficient and satisfactory way. Therefore, to meet this big need the immense scheme of *Local Government* has been slowly developed and gradually improved until it is to-day splendidly efficient in its scope and generally satisfactory in its work. In a great modern State wherein over forty millions of people live, it is clear that conditions of life must vary from one district to another. The task of looking after the welfare of every class of people and of every different district—industrial, commercial, maritime, rural, urban, social, etc.—would be far too detailed a job to be done successfully by the Central Government. Local conditions are certainly known best by people who have to live within them. The welfare of every single district can thus be best safeguarded by its authoritative control being in the hands of men who know and live in it. Local Government is thus a natural development as well as a social, governmental and State necessity.

The scope of this local form of government is, therefore, limited. It is an exercise of official authority within certain land limits or boundaries only; and its official authority is also *definitely limited to dealing with local conditions and matters only*, so far as these demand official guidance or control. The welfare of the people living within the limited

district is the true and only concern of the Local Authority. *E.g.* every such district—be it a town, or a London Municipal Borough, or an Urban District, etc.—needs a good supply of water, lighting, drainage and sewerage systems, etc., before the welfare of its people can be assured. These matters are too small to demand Parliament's attention. But they are large in local importance. And it is the business of the Local Authority to deal officially with them. In Chapter XV we shall see more fully how the work of Local Government is done.

It is more interesting here to examine a little the *nature* of this form of government, to see the source of its power and how it is brought into line with the arresting fact that we are a *self-governing* people.

In the first place we must recall the truth that Parliament is responsible for the entire government of the State. Although Parliament does not carry out Local Government, it must, all the same, be finally responsible for its work. This being so, it follows that all governmental work carried out locally is done with the consent of Parliament, and by authorities *approved of and set up by Parliament, and to whom Parliament has granted the necessary powers of control and administration.* In other words, Parliament has *handed over* or *loaned* to these Local Governments a portion of its own power and authority in order that

they may carry on legally and successfully. Thus the source of all local governing power is Parliament. The correct term for such *handing over* of authority is *delegation* of authority. And all properly constituted Local Authorities possess this *delegated power*. They are the servants of Parliament and are responsible to Parliament.

In the second place, as we elect Parliament so have we the right of freely electing our Local Government. By the use of this right we do two things:

(i) Assert our power of self-government.

(ii) Share with Parliament the final responsibility for the successful ordering of our local government affairs.

Consider carefully (i). It is undoubtedly true that the vast majority of citizens are more alive to the importance of local elections than elections to Parliament. Local affairs have real meaning to and for them. They are almost compelled to take an active interest in them; and there is no excuse for the intelligent ratepayer if he neglects his full opportunities of learning all there is to be known about *local politics*, and playing his part wisely and firmly in controlling them in the interests of the district as a whole. In his power to control them by the use of his local government *vote*, he is exercising his right of self-government. Indeed, nowadays, the self-governing right of the British people is best seen and most enjoyed

in their large measure of control of their Local Government.

Lastly, it must be remembered that the Local Authority is in the hands of local men. That is to say, the men who stand for local election are ratepayers of the district. Any ratepayer can offer himself as a candidate for a seat on the Council or local governing authority, so long as he can win the necessary support from his fellows. And it ought to be the ambition of every active and intelligent citizen, woman as well as man, to aspire to and to win the honour of a seat on their local Council. Those who do so, however, must be alive to the big responsibilities they take upon themselves.

Firstly, they are *representatives* of their fellow-citizens; they hold a place of trust and of power on their behalf; they exercise for a time the authority of self-government handed to them by those who voted for them. The welfare of the district as a whole should be their only aim.

Secondly, they hold the governing power *delegated* to them by Parliament—the Central Government which is finally responsible to the people for the sound government of the State. While leaving the Local Authority entirely free to use its powers to order the conditions of life within its area, to the best of advantage, the Central Government has always the right to step in either to strengthen or to annul the decisions and plans of the Local Authority.

Central Government and Local Government are thus to be regarded as two parts of a single organization of State Government. Both parts are run on the same principles of *Representation and Election*. And to the self-governing people both parts are in the end responsible for their work. The Local part can, however, be more directly controlled than the Central by the People.

QUESTIONS.

1. The necessity of Local Government.
2. To whom are its authorities responsible? Why?
3. Discuss the responsibilities of—
   (*a*) One elected to Local Government Office.
   (*b*) The elector.

*4. Explain the last sentence in this chapter.

## CHAPTER XIV.

### THE INSTITUTIONS OF LOCAL GOVERNMENT.

THE institutions of Local Government are the various organisations by means of which the work of local government is carried on. This work is enormous in scope and complicated in detail. It is necessary, therefore, to have many organizations, such as Councils, Committees, Boards, etc., to meet its many and various needs. Most people know these institutions by name: but how they are established, why they exist, and how they carry out their large duties, they either do not know or else have quite vague ideas. Indeed, popular ignorance of Local Government and its organization and methods is widespread and appalling. Every good citizen ought to be educated in these matters; they have much to do with him, and he with them. The first step in such a training is to learn about these institutions or " machines " which do the work.

The first thing to realize is that Local Government is divided into *three great sections*, each of which is entirely independent in its activity. These are:

(i) *London.*—So vast a city as London is

deserves independence in this matter and has had it for ages. Its independence, however, is not its curious feature, for, as we shall see, every other town or borough or county, etc., enjoys to-day, as an administrative unit of local government, similar independence. No! The curious feature of London is its *peculiar form of organization*, and this ought to be studied carefully by all Londoners at least.

(ii) *The County Areas.*—These form by far the largest section. In this section the non-county-Boroughs, also the Urban Districts (*i. e.* towns not yet incorporated as boroughs) are included.

(iii) *The County Boroughs.*

Let us take the sections or areas (ii) and (iii) first and see how they are organized: remembering always that they are in themselves as sections absolutely separate. The curious case of London can be left till last.

## I. The County Districts

In the olden days these managed their own affairs through three important institutions called the *parish*, the *hundred*, the *county*. The *parish* was really the village or hamlet. It was the small sphere or cure of a priest; and in these olden days religion was extremely popular and the priest a man of power. Each village had its little court or "moot" in which the "headman" of the village, together with the priest and six "good and true men," sat to administer the customs and rough law of the

age, so far as the civil life of the settlement was concerned. To each village church, however, was attached another small court—the *vestry*. This was usually the robing room of the priest, as it is to-day. Here the priest sat as president of a small council or *vestry* of parishioners to administer the spiritual or Church's law. As time went on the village court or "moot" fell into decay; *i. e.* its power was seized or destroyed by the turbulent nobility who subjected the villagers to their tyranny. But these fierce gentlemen had no power over the Church: indeed, most of them were afraid of the Church. So the vestry remained and gradually became the responsible organization for the administration of local government in the village. In Queen Elizabeth's time this value of the vestry was recognized and its authority was strengthened (Poor Law Act, 1601, *see* Chapter XV).

The "*hundred*" was a collection of villages. Its size varied. The important thing to note is that it also had a court or "moot," and in this court law and custom were administered by certain recognized officials such as the Sheriff's Bailiff or the steward of some noble. All the cases too hard to be tried in the village courts naturally were taken to the "hundred" court. Taxes were also gathered here for the district, and any rude form of local government the district as a whole enjoyed was organized and supervised by its officials.

The *County* or *Shire* Court came next and was the highest and most important of these three ancient local institutions. The shires of England to-day exist pretty much as they were in area then. Each shire or county was allowed to be separately governed through its famous Shire Court or "moot." Thus was this court responsible for the law and well-being of all the "hundreds" and "the villages" in its confines, all of which were linked up to it. Its chief officers were great people: the Sheriff (the king's officer), the Bishop and the Ealdorman—some big noble. These powerful men "guaranteed" to the King the law and order of his shire.

The reason we go back into these old things is this—that the main lines of organization followed in the local government of rural England to-day are but continuations of those upon which this ancient system was run. In other words, these old Councils are still with us as the institutions by which rural Local Government is to-day carried on, but they have different names and, of course, different functions.

The *County* is still the chief unit. Its Council—called the *County Council*—is in many respects the same as the famous *shire moot* of old. This Council is the main institution in modern rural Local Government. Each county is independent in its administrative control of the local affairs of its area. It has

powers of final control in some important matters over the Town Boroughs other than the big County-Boroughs; over the *Urban District Councils, i. e.* the smaller towns in its area which have not yet been incorporated as "Boroughs"; also especially over the *Rural District Councils.*

In place of the old "hundred" we have the modern *Urban* and *Rural District Councils.* These forms of Council—the one primarily for small towns, the other for country settlements—are the next most important institutions in Local Government to the County Council. They share the responsibility for the country towns and the clusters of small settlements, *i. e.* parishes, in the area of the entire County.

Lastly, we have a *Parish Council* to-day instead of the old vestry. Certain functions of control in regard to the administration of the Parish as we know it are vested in this Council.

Such are the institutions by which the rural local government of England is now carried out. These were created from the ruins of the old system by the Local Government Act, 1894.

The members of every Council are elected by the ratepayers who live in the area. Every Council is presided over by a Chairman who is elected by the Councillors from among their

own numbers and who is always made a Justice of the Peace. Councillors hold office for three years.

## II. County Boroughs

Every town or borough of any importance has its absolute independence in this matter. There are about seventy of them. They are called County Boroughs, *e.g.* the County Borough of Birmingham. Their self-governing functions are performed by the *Town or Borough Council.* This sort of Council is familiar to all of us, for it controls largely our social life. But it must be kept separate absolutely from the other councils we have spoken of.

A town is a big thing to look after. Its many interests demand careful and skilled attention. That it should be left to govern itself as much as possible is the English method of doing things—a method which grew slowly and successfully during the Middle Ages. Then the townsmen or burgesses clearly knew what was best for their own welfare and did not want either the King or the nobility to interfere with them. So they gradually won the liberty of managing their own affairs—*i. e.* they won the right of self-government—or rather they gradually succeeded in *buying* it from the king and the barons. By paying a big sum yearly they obtained what was called a *charter of freedom.* This acknowledged the payment of the money, gave them formal freedom from all

other taxes, and also certain rights of self-government.

Slowly, therefore, a special method of town government arose. The principal men of the town came together and acted as a body to secure and guard the town's privileges, and order its local life. This body in the course of time became known as a *Corporation.* Its chief man became known as the Mayor and was the head magistrate within its legal area. His fellow-councillors became divided into two classes as the needs of the time demanded such a change: (*a*) aldermen; (*b*) town-councillors. Into the hands of these men, forming as they did a Corporation, *all power of municipal control and civic administration came to be invested.* In short, they governed their town.

This model of town-government was copied with slight variations by all towns or boroughs lucky enough to secure their charters of freedom.

The modern system of town or borough Local Government seems very much like this ancient method. But, in reality, it has important differences.

The old state of things lasted till 1835, when the *Municipal Corporations Act* was passed. This reformed the old system and created the new.

It was then ordered that the *town-councillors* must themselves be householders and rate-payers in the borough, *and must be chosen by*

*free election from the ratepayers of the borough.* The elections take place on November 1, and a Councillor holds office for three years.

The *aldermen* were to be nominated by these town-councillors from among themselves and to hold office for six years.[1]

The *mayor* was to be *elected* annually from among the councillors and by them.

Here we find certain *qualifications* attached to these important offices :

(i) The vital principle of election.

(ii) A time limit to their tenure.

In the olden days the great men of the borough managed things very much as they wished in furtherance of their own interests; the people as a whole had little or no voice in the matter of choosing their governors.

Thus was the modern institution of the Town Council established. It is a *representative* body. On the whole it has justified its existence—most towns being to-day governed wisely and well.

*Two Minor Institutions.*—Two other institutions in the local government of both towns and country districts must now be noted. They are smaller than the chief Councils, but equally important in their work. They are :

(i) *Education Committees.*—Every County Council or Borough Council—and Urban District Council (for Elementary Education only)—

[1] Since 1907 women are eligible as councillors and aldermen.

must appoint such a Committee by Act of Parliament (1902-3), and this Committee shall be responsible to the Council for the efficiency of Education within the area of the Council's control.

(ii) *Boards of Guardians.*—In every district known as a Poor Law Union (*see* Chapter XV), the ratepayers must elect every April a Board of Guardians to look after the needs of the destitute and the aged.

## III. London

Returning to the special case of London we must note that owing to its size it is considered to be a *county* for the purposes of local government. It has its London County Council, which is the chief controlling body. Yet, so vast is its area, that for convenience sake it is divided into a number of Municipal Boroughs. There are over thirty such administrative and locally governed divisions, *e.g.* Camberwell, Putney, Hampstead, etc. These Boroughs have Councils, too, on the same model as the Borough Corporation, but their municipal authority, although great, is not so full as that of the Borough Corporation. They are for certain purposes subordinate to the London County Council.

*E.g.*—Although they can collect and spend most of the rates of their boroughs, they have no control over Educational life in their areas—

this vital matter being entirely in the hands of the London County Council.

Or, again, the City of London proper is a tiny area in the heart of the metropolis, and enjoys very ancient privileges, which make it entirely independent of the London County Council for all purposes of local self-government. It has its own Corporation, Lord Mayor, Alderman and Councillors on the Borough model.

Thus, London is an exception; a difficult case to understand. Its organization and methods of local government are very complicated. Unfortunately, in this small book we cannot do more than just point out that this is so. It must be studied separately.

We have now seen :

(*a*) The chief divisions of Local Government

(*b*) The chief types of institutions by which it is carried on.

Two more interesting points must be made before we leave the subject.

(i) Every institution of modern local self-government is a *representative* institution, *i.e.* its members are chosen by the vote of the majority of the ratepayers of the district or area.

(ii) These institutions exercise large powers of control and government, but they do not possess these *powers to-day in their own right.* These powers are *delegated* to them by the

Central Government to whom they really belong. These Councils are all servants to Parliament. If necessary their powers could be taken away, added to, lessened, or changed by an Act of Parliament.

The way in which these Councils actually govern and the work they have to do will be dealt with in succeeding chapters.

QUESTIONS.

1. Why is London an exception to the rule in Local Government?
2. Show that our modern institutions have deep roots in the past.
3. Is it good or bad that Boroughs and Counties should be "independent"?
4. What was the value of the Municipal Reform Act, 1835?
*5. Which do you think has the harder task—a County Council or a Borough Council?
*6. In what matters does the County Council control the work of (i) the U.D.C.; (ii) the R.D.C.; (iii) the Parish Council?

## CHAPTER XV.

### THE WORK OF LOCAL GOVERNMENT.

THE work of Local Government begins at the same stage as that of Central Government, namely, with the People. By "People" is meant the ratepayers of the Local Government Authority's area or district—for they alone possess the Local Government Vote (*see* Chapter XVIII). Every district is self-governing to the extent that its ratepayers have the right to elect to their honourable offices the men and women who order and control its local government and administration. And therefore in this act of election the work of Local Government really begins. In this periodical act of choosing "Councillors," the ratepayers clearly play a most important part in the system of Local Government. It is a very responsible duty. It merits full thought and care by all concerned. The election determines the constitution of the Council—*i. e.* who sit in it—and this is the first stage done.

As we saw in Chapter XIV the Councillors have the right to name the few aldermen from among themselves, and these men hold office for six years. The lord mayor or mayor is

also *elected* every year by the Councillors themselves. The wisdom of allowing the aldermen to be nominated and to hold office for so long a period as six years is seen at once when it is called to mind how difficult the task of ordering and controlling the Local Government of any district must be, and how necessary it is to have men and women in the chief responsible offices who have had a fair amount of *experience* in the work and its duties. This experience can only be gained by their passing through the first stage of an ordinary Councillorship. Suppose there were no aldermen to guide affairs, and the ratepayers selected a wholly *new* group of Councillors to manage the "Machine" of Local Government—what a task it would be for these inexperienced people, and what a muddle they might make of things, no matter how good their intentions!

Fully established, the Council, with its president, the Mayor, its Aldermen and its Councillors, is responsible both to Parliament and to the People for the satisfactory state and conditions of public welfare within its area. It meets regularly and frequently in its Council Chamber—which is usually in the Town Hall, if the area can boast of one—and is to all intents and purpose like a small and local Parliament. Policies and plans for the efficient working of the system of local government are drawn up and discussed by this Council: schemes and ways and means for their execution are devised

and debated, and decisions of both small and great importance are made—usually by voting. The decisions once taken, the work proceeds and the responsibility for it rests wholly with the Council. As expert advice is always welcome and sometimes quite needful, every Council has its permanent staff of professional officers, chief of whom are (i) the Town Clerk, who is trained in the Law and can give legal advice. (ii) The Medical Officer, a doctor, who can advise on all matters relating to Health. (iii) The Surveyor, who, being a trained Surveyor, Valuer and Architect, advises on all matters relating to Property. (iv) The Engineer, who advises concerning roads, bridges, sewerage systems, etc. Frequently (iii) and (iv) are combined in one office or appointment. (v) The Secretary of Education—an expert educationalist. These officials cannot vote at a Council Meeting, nor can they attend unless invited—and then they only make a report or give their expert advice on the question under discussion.

*The Council's Sphere of Work.*—Now what is this work for which the Council is responsible, and why is it so difficult?

(i) *Health.*—In the first place there is the Health of their district. The bodily welfare of the people must be safeguarded. This involves the supervision of all the sanitary, drainage, sewerage systems, etc., of the area. The visitation and inspection of houses and

property is also necessary. Their clean and sanitary condition is essential, and people must be helped and encouraged to obey the law in these matters. The building of public baths and washhouses, etc., and their supervision also fall under this head of Health. So also does the supply of water. A full and constant supply of good water is an absolute condition of public health. Usually, the water supply is in the hands of a private company. Where it is not, the Council has to arrange for its service supply. Where the private water company exists the Council has authority to see that it does its work properly in the People's interests. In the maintenance of Hospitals, Infirmaries, Dispensaries, etc., the local governing body often carries out a vital work for the promotion of Health. Diseases sometimes sweep over the land like a scourge. In epidemics of this sort, like influenza, pneumonia, small-pox, etc., relief can only be gained by the medical aid and attention organized on a big scale for their district by the Council.

(ii) *Education.*—Education is also their concern. To supervise and assist the health of the *minds* of the people, and especially of their children, is as important nowadays as promoting their bodily health. This educational work is large and difficult. It is also increasing. The provision of satisfactory schools, an ample and highly trained staff, of the books and material, and all that goes to make for

the success of Education involves big demands upon both the time and the energy of the Local Government—although (as we shall see in the next chapter) it has the assistance of its Education Committee.

In this connection mention must be made of the Public Libraries, Museums, Picture Galleries and other educative institutions which are administered by the Council for the public benefit. Their value as means of gaining true education is simply inestimable. No time or money spent upon their upkeep and extension is wasted.

(iii) *Provision for the Poor.*—Again, there is the large sphere of duty which embraces the problems of providing for the destitute and aged poor and the relief of the poor folk who are sick. This work is carried out by the Board of Guardians—a separate body, as we saw in Chapter XIV. All the same the Council is, in the last degree, responsible for its proper execution.

(iv) *Roads, etc.*—The question of the upkeep and management of roads and highways, the proper lighting of them, the tram and 'bus services upon them (if these undertakings are publicly owned), the strengthening of river banks and the freeing of rivers from pollution—is clearly another large section of the Council's work.

(v) *Property.*—Then, also, there is the equally important question of all the property either

in money, land or buildings which belong to the ratepayers. The Council is the trustee, so to speak, for the whole of it. The administration of these public funds and the upkeep of this public property is a difficult matter requiring fine business skill and experience.

(vi) *Housing.*—Another duty always incumbent upon the Local Governing Authority, but one which nowadays is involving tremendously heavy duties, is that of clearing away slum property and of building sufficient housing accommodation for its people. The *Housing Act*, 1919, made this duty a stern reality. But town-planning, the effective control of new housing schemes, the fixing and upkeep of all boundaries, formed part of the Council's work long before this Act. Here, too, their responsibility for public Parks may be mentioned.

(vii) *Police Service.*—The maintenance of an effective Police Force and the upkeep of the local Courts of Law are further civic necessities for which the Council is responsible. As in the cases of Education, House Building, etc., the Council acts under the direct authority of the Central Government in this matter. None the less the policing of the area and the administrative provisions necessary for compelling all to obey the Law are carried out under the orders of the Council, and the expenses incurred are largely borne by the ratepayers.

(viii) *Financial.*—Lastly, there is the root

question of money. The Council imposes and levies the rates and is held to account for the right expenditure of them. As we shall see in Chapter XVII this is in itself an enormous task.

Even from so brief an outline as this it can, perhaps, be seen that the work of Local Government is varied, difficult and highly important. That it demands skill, experience and civic devotion goes without saying. How it is actually done can be seen in the working of the "Machine" of Local Government which is described in the following chapter.

QUESTIONS.

1. The necessity for public control of sanitation.
2. Show how varied and difficult is Local Government work.
3. Why should Museums or Parks be under public control?
4. Have Local Authorities too much to do?
*5. The competency of Local Authorities.
*6. Municipal Trading, *e. g.* Municipal control of Gas, Water, Coal, Milk, Transit Services, etc.

# CHAPTER XVI.

## THE "MACHINE" OF LOCAL GOVERNMENT.

JUST as the actual work of administering the law and controlling in detail the widespread activities of government is far too big a task for the Central Government, so is the task of administering local government in all its departments and details too big for the Local Governing Council. And just as the Central Government created a great "Machine of Government" to do all this "inferior" work under their final supervision, so has the Local Governing Council created a "Machine" to do their "inferior" work.

And this "Machine of Local Government" is constructed on the same principles as the "Machine" of the Central Government.

Instead of a large group or series of Departments, however, we see a large or small group or series of *Committees*. These Committees are all appointed by the Local Government Council. Their membership is usually small. Generally, their members are all Councillors, but in some cases men and women, who are not members of the Council and who have expert knowledge, are appointed or co-opted on to a Committee.

Each Committee has its chairman—and, usually, when an alderman is available this honour falls to him. Each Committee has also a properly *defined sphere of local government administration to control and supervise.* And, further, each Committee is finally responsible to the Local Government Council for success or failure in carrying out its duties.

In the apportionment of their duties to these various Committees, the whole range of the work and interests of the Local Governing Council (seen in last chapter) is covered. In the city of Bristol, for example, there is need of many Committees. Here is a list of the chief—

(i) The Docks Committee.
(ii) The Education Committee.
(iii) The Public Health Committee.
(iv) The Watch Committee.
(v) The Finance Committee.
(vi) The Works Committee.

If you compare this list with the work of local government, as set forth in the last chapter, you will see that every distinct branch of administrative activity has a special Committee to look after it. This is the actual practice. Thus the whole work of Local Government is ordered on an intelligent and smoothly working system. The idea is that the members of a Committee shall be interested in, and, possibly, know a great deal about the particular work their Committee is to

control. *E. g.* only those aldermen and Councillors interested in and knowing something about the Bristol Docks would be asked to sit on the Docks Committee of Bristol City Council. Indeed, the idea and practice go farther than this. The members of a Committee are supposed to devote their best energies to the work of their Committee: if they know little about it at the start they are in honour bound expected to learn as much as their time and opportunities will allow, so that their best judgment may be at the service of their Committee on any problem which may arise—and many problems, some quite grave and urgent, are certain to arise in the course of time. The members of every Committee are, in truth, the guardians of the particular sphere of public welfare that falls within the limits of their Committee's control, and they are expected by the ratepayers to act accordingly.

*The Working of a Committee.*—Let us look a little more closely at the working of one of these Committees. Let us take the Education Committee. This small group of people is really responsible to the Council for all the administration of the Education Acts within the local area. It meets regularly, and reviews any questions or problems which have arisen in the working of its educational system. *Sub-committees* are appointed from its own members to deal with certain parts of the system—*e. g.* the work of supervising all matters

relating to the Salaries of Teachers and Educational Officials would be done by the Salary sub-Committee of the Education Committee. Or the work of supervising all matters connected with the appointment or dismissal of teachers or educational officials would be done by the Appointments sub-Committee. And so on. This system of sub-Committees clearly simplifies and quickens the heavy work of the Education Committee proper.

At the regular meetings of the Education Committee proper, the sub-Committees tender their "reports." These reports are then discussed and debated by the full Committee. In these deliberations the advice of the paid and permanent expert education officials of the Council is often called for. The result of their discussion is the embodiment of their view of any outstanding question, and the policy by which it can be most effectively answered or solved, in another full "report." This full "report" of the Education Committee itself is then put on the "agenda" of the next Council Meeting. When this takes place the full Council receives the "report" of its Education Committee; they discuss and debate its terms, views and suggestions, and finally amend or ratify it. In this way the full Council assume final responsibility for the plans and work of its Education Committee, and this Committee may go ahead with its duties knowing that it has the authoritative support of the Council.

In similar fashion do all the Committees of a Local Governing Authority work. They may vary in details of their method, but they all rest on the same principle of *delegated* power. The Committee is responsible to the Council; the sub-Committee is responsible to the Committee; the sub-sub-Committee to the sub-Committee, and so on. All are linked together with the bond of *delegated authority*, and by thus sub-dividing the whole work the quicker and better is it done. A table may explain this more clearly.

| | | |
|---|---|---|
| The Council . . | = | Final Responsibility. |
| ↓ | | |
| The Committee . . | = | Delegated Responsibility. |
| ↓ | | |
| The sub-Committee . | = | Delegated Responsibility. |
| ↓ | | |
| The sub-sub-Committee | = | Delegated Responsibility. |

This principle of *delegation* of power and responsibility is one peculiarly favoured by the British people. It suits our temperament: it is a product of our genius for self-government. On it, as we saw, our great institutions of Central Government are firmly built: on it also rests those of our Local Government. In the working of the Cabinet itself down to the working of the humblest sub-Committee in Local Government, it is clearly seen as some unbreakable bond holding the whole vast system strongly together. In the two

"machines" of Government which we have now looked at somewhat closely, this peculiarly powerful principle is, perhaps, best seen *working*.

QUESTIONS.

1. The necessity for the "Machine of Local Government."
2. The principle on which it is based.
3. The qualifications of a member of a Committee.
4. Which Committee would you choose to sit upon? Why?
*5. The value of "expert officials" in Local Government.

# CHAPTER XVII.

## RATING AND EXPENDITURE.

JUST as it is necessary for the Central Government to raise huge sums of money every year by way of Taxation, in order to pay the expenses of its governing work, so also is it necessary for the Local Government Authority to raise large sums of money every year to pay its necessary expenses. These sums of money are called Rates. Every householder and property-owner within the area of the Local Government Authority pays his or her fair share. These men and women are named Ratepayers; the Rates they pay are really a form of *local* taxation; their payment of them entitles the Ratepayers to the Local Vote and other self-governing privileges we have already described, *e. g.* the holding of an office in the system of Local Government.

*Assessment.*—As houses vary in size and quality, and property of all sorts differs in value, how is each Ratepayer's share in the Rates of his area fairly fixed? Needless to say each man or woman's share must be fairly fixed in the interests of social peace and justice. The way this is done is called *Assessment.* It

is as fair a way as is possible. Expert Surveyors and Valuers of property are employed by the Overseers of the Poor to *assess* the *yearly rateable value* of all property which can bear rates within the area of the Poor Law Union. This assessment is usually done by taking the yearly *rental value* of the property as a base of calculation. On this base of rental value a just proportion, say a half, or three-fifths or five-ninths, etc., is estimated as the *rateable value* of the property. For example, if I paid £30 a year for my house-rent, its rateable value would be assessed at £15, or £18, etc. a year. If my neighbour's property was rented at £100, it would be rated at £50 or £60, etc.,—according to whatever proportion of rentable value the surveyor thought it fair to adopt. When the Assessment is complete, the Overseers of the Poor make out the "Valuation List." A copy of this is fixed on the doors of all religious buildings in the area of the Poor Law Union, as well as in other prominent places, so that the public can easily refer to it. If one thinks he is assessed too highly he can appeal to the Assessment Committee of the Guardians.

With all property valued in this way, the Local Authority knows precisely how many thousands of pounds *rateable value* it can levy rates upon year by year. Let us assume that this rateable value in the city of "Z" is £200,000.

*What is a Rate?*—Now, what is a Rate? Simply a payment of so much in the pound. It

may be a penny, ten shillings, or any other reasonable or necessary sum decided upon by the Local Governing Council. Let us assume that the city of "Z" required a new school, the cost of which would be £10,000. The question would be: How to raise the £10,000 on the £200,000 *rateable value*. The answer is simple. By levying a shilling rate; that is, by raising a shilling on every pound of the £200,000, and distributing the burden over the whole class of ratepayers whose property made up altogether the £200,000 worth. So if I lived in "Z," and my house was rated at £15 a year, I should have to pay 15*s*.; my neighbour, rated at £50, would have to pay £2 10*s*., and so on.

*The estimate and passing of the rates.*—From what we saw of the work of Local Government, and the functions of the "Machine" of Local Government (Chapters XV, XVI), it is clear that modern Local Government is an expensive business. So many duties fall to its keeping and discharge—duties upon which the social health and welfare of all the people who live within its sphere of authority depend—that the rates are necessarily heavy. Every half-year the Finance Committee of a Local Governing Council draws up its report upon the money needs of the Council for the ensuing half-year. This it can do with the help of reports and estimates of expenditure, etc. from the other Committees of the "Machine of Local Government." The experience of past years' expenses is also a reliable guide. Totalling all the

necessary expenses, it will be found that they can only be met by levying a general rate of so much in the pound (say 3*s*. 4*d*.) for the half-year. Having drawn up its "report" in which its "recommendation" of a 3*s*. 4*d*. half-yearly rate is stated, the Finance Committee submits it to the full Council for acceptance. At the full Council Meeting this report is discussed. If approved it is ratified, and the 3*s*. 4*d*. half-year rate is demanded in due course from the ratepayers. The point I wish you to see here is that both the Assessment and the system of fixing and levying the Rates are rightly viewed by the Authority as a serious business which carries with it grave responsibility.

*The Half-Yearly Rate.*—Note here that the practice of fixing and levying the rates *half-yearly* is universal in Local Government. It is adopted for convenience only. It is considered better to levy two small sums in the year than one big amount. Besides, the Council needs money more quickly than an annual collection could supply it.

*Rates variable, with needs.*—Note also the rate imposed varies. It may be increased or it may be decreased—according to needs. The responsibility of fixing it belongs to the Council alone. The heavy increase of the work of Local Government during recent years has thrown heavy "burdens on the rates." Rates have risen and the tendency is for them still to rise—especially in big towns and cities. Most of our large towns and cities are to-day paying a half-

yearly rate of about 5*s*. or over: *i. e.* 10*s*. or over in the pound every year. In country districts, on the other hand, rates keep fairly constant and low. The average is about 4*s*. a year. Sometimes one hears of their big reduction in these localities. *E. g.* Caerlon, a small area near Newport (Mon.), in 1919 not only freed itself from all debt, but reduced its rate to 1*s*. 8*d*. in the £1 for the half-year!

*Water and Gas.*—It must also be noted that such essentials as Water and Gas are mostly possessed by private companies: for our use of them we are specially assessed by the companies: and our payments to them every quarter or half-year is really another rate—sometimes a heavy one. In the few cases where the Local Government own both the Gas and the Water supplies the rates for their use are fixed by the Council—so the matter of these extra rates, whether privately or publicly levied, is almost as broad as it is long.

*The necessity to pay.*—There is no need to dwell upon the necessity to pay rates cheerfully. We must be aware that we cannot get something for nothing, nowadays—especially, so valuable a "something" as efficient Local Government. It must be stated, however, that payment is compulsory. The Council can summon the defaulting Ratepayer to the Court of Law and compel payment. The Water or the Gas Company can do the same—besides "cutting off" the water or the gas!

*The Control of Expenditure.*—A more inter-

esting question is how can the Ratepayers prevent the foolish spending of their money, and exercise some sound control over the Council's expenditure? The Ratepayers possess the powerful control of the Vote. All the members of the Council are popularly elected and must seek re-election. If their conduct has not been satisfactory, the Ratepayers can turn them out. With a wide-awake and often critical Press to inform them, and with the activities of a Ratepayer's Association to assist them, the Ratepayers, as a whole, ought to be strong and intelligent enough to protect their own interests, and to see, at any rate, that the finance of their local self-government is wisely and economically ordered. In the exercise of this power of Control the ratepayer is carrying out his civic duty just as loyally as when he is paying his rates.

*The Rates—Local or National.*—In conclusion we might glance briefly at one of the most important of the discussions which take place to-day on the question of Rates. The fact that Rates are *heavy*—sometimes very heavy—in the big towns and cities of our land, and *light* in the small towns and rural areas, is an evil in the eyes of many people. At least, if not an evil, a very serious fault in the system of Local Government. Why should the people of "A" pay 13*s*. in the £1, and the people of "B" only 3*s*. in the £1? it is asked. All have the same need to live well and to be governed locally as cheaply as possible. The proposed way out

of this difficulty is that all the rates of the country should be "pooled," *i. e.* put together in one great fund, from which all Local Government Authorities would draw proportionate shares, and into which they would pay proportionate shares of a FLAT OR LEVEL RATE levied by a Central Authority upon the whole State.

The opponents of this scheme point out that (i) it would require vast administration and the definite interference of the Central Government. (ii) That Local Control is so valuable a right that we ought not to give up any part of it. (iii) That local control of finance would be seriously weakened. (iv) That the progressive Authority would be hampered by the dull, easy-going Authority. (v) That if a town or district wants special improvements it ought to be prepared to pay for them, and not expect the whole of the State to help.

The steady increase of the Rates, and the outcry of the Ratepayers in many districts against their "burden," make it certain that the question of this reform in the imposition and levying of Rates will come to a head before many years have passed. It is, therefore, well worth your careful consideration.

QUESTIONS.

1. The need of Rates.
2. The process of Assessment.
*3. The economy of Local Government.
4. The Ratepayers' control over the Rates.
*5. Discuss the question of "pooling" the Rates.

## CHAPTER XVIII.

### THE LOCAL GOVERNMENT VOTE.

*Local Government.*—We claim to be a self-governing people. We are—so far as it is possible. In Local Government we find the best proof of this. All citizens can and do play a large and important part in the government of the particular districts in which they live.

For the actual Institutions and system of Local Government, see Chapter XIV.

Here, remember, the chief districts or units of Local Government are (*a*) Counties (*b*) Boroughs: and the form which Local Government takes is, roughly speaking, that of a number of *Councils*, composed of citizens who are *elected* by their fellow-citizens, to govern the County or the Borough for a certain period.

This *election* is made by the *Vote*. At stated intervals of time these Councils have to be *re-elected*: these are the times when the Vote of the Citizens enables them to play their part in Local Self-Government. Thus, there is the "Municipal" or Local Franchise as well as the "Parliamentary" or national (electoral) Franchise. These Franchises are quite distinct.

Who can possess the Municipal Vote? Now-

adays, *all* Ratepayers, both men and women. This right has only been gained during the last century. In fact, our whole system of modern Local Government has been created during this period.

The chief stages in the progress of this reform are:

I. In 1834, two years after the great Parliamentary Reform Act, the first big step was taken in creating our present system of Local Government, or, in remodelling the old system on more efficient and fairer lines. *The Poor Law Act* (1834) divided up the whole land into Poor Law Unions. (To-day there are about 640 of these areas of local administration.) A Board of Guardians controlled each one; and every such Board was *elected* by a newly created *popular franchise*. That is all the Ratepayers of the Union were allowed to vote for, or to elect, these Guardians.

*A property qualification was attached to this new franchise.*—It allowed as many as six votes to the rich man.

Before this time all Local Government and Administration, both County and Borough, was in the hands of the rich. The officials were also elected by the rich only. And in such Local Government—except this one matter of Poor Law Administration—the power of control and *election* still remained as the sole right of those rich enough to qualify for the vote.

Thus, the reform in 1834 was the first big step

on the road of Popular Control in Local Government proper.

II. In 1835, a further and more important step was taken. The *Municipal Reform Act*—a great creative Act—was passed. It created an entirely new and representative local constitution for all *Boroughs* in the Kingdom (except London and a few others which were reformed later). These were, and still are called "Municipal Boroughs." The system of local government in them all was to be exactly the same. The "Borough Council" was to be the chief governing body of the Borough. It was to be composed of Burgesses: these men or women were to be *elected by the vote of their fellow burgesses*, both men and women, *who were ratepayers*.

*Note.*—(i) These "Municipal Boroughs" and "The Parliamentary Boroughs" were quite distinct at this time. (There is now a movement to make them the same.)

(ii) These "Municipal Boroughs" had nothing to do with the "Counties." Thus this new form of popular self-government was only so far granted to citizens living in "Boroughs."

III. In 1888 this one-sided state of affairs was remedied. A sweeping reform brought the "Counties" into line with the "Boroughs." *The Local Government Act* of this year created a County Council in every County. *These County Councils were to be modelled on the constitution of the "Borough" as created in* 1835. The

Councillors were *elected* by all the County ratepayers.

Thus, at last, the whole body of ratepayers in the Kingdom, both "County" and "Borough," was enfranchised to vote in the government of their own Local Affairs.

IV. Popular and representative control was now established in Local Government except for one great inequality. This was the *property qualification* which still gave the rich man or woman as many as six votes—and the poor one only.

This inequality was removed in 1894. *The Local Government Act* of that year provided that there should be only one vote and no more for every ratepayer either in the "County" or "Borough" for any number of persons not exceeding the number of Councillors to be elected.

(See Chapter XIV, for the other reforms of this great Act.)

The Local Government Franchise was now single and within the reach of all ratepayers. The self-government of the people in Local Administration was at last established.

### The Power and Responsibility of the Local Franchise

It is a common mistake to think of the Local Vote as less important than the Parliamentary Vote. *They are equally important.* Indeed, for the ordinary citizen the Local Vote is, per-

haps, the more valuable. He is at least able to learn the needs of his "County" or "Borough," and to take an intelligent interest in its government, and to have some personal knowledge of the Councillors or candidates for Councillorship. This fuller information of local needs ought to make the local vote a powerful weapon of reform in the hands of the local ratepayer: it certainly ought to increase his sense of duty and responsibility in voting.

### Questions.

1. Discuss differences between Parliamentary and Municipal Franchise.
2. Discuss the Woman Vote in both Parliamentary and Municipal Franchise.
3. Refer to Chapters XIII, XIV, XV, and XVI, and show how the Local Franchise controls all important local matters and interests.

*4. Is the Local Franchise effective in modern politics?

# CHAPTER XIX.

## THE MINISTRY OF HEALTH.

## (THE LOCAL GOVERNMENT BOARD.)

IN the first chapter of this section, dealing with Local Government, stress was laid upon the truth that Parliament controls all Local Government work, and that all Local Authorities possess a certain governing power which is *delegated* to them by Parliament, and are thus made responsible to Parliament.

In this last chapter it will be well to see exactly how Parliament can and does control Local Authorities, and enforce, if necessary, their responsibility. It is almost needless to point out that there must be strong connecting-links between these two parts of the State government organization. But it is needful to know something about them.

*The Local Government Board.*—In accordance with its system of managing the administration of the Law, by the setting up of a number of powerful Departments—called in this book the " Machine of Government " (Chapter IX)—Parliament entrusts the whole job of looking after the complete system of Local Government to *one* of these Departments. Until

1919 this Department was called, as you might expect, *The Local Government Board.* It was first set up in 1871. Its business was nothing less than "to supervise all matters relating to public health and of poor relief." So extensive was this business that it practically compelled the Department to exercise final control in all local affairs except that of Justice and Education. This power is perhaps best seen in the fact that it was the duty of the Local Government Board to supervise all Local Government expenditure and audit annually its accounts.

This Department was in the usual way presided over by a Cabinet Minister—the President of the Local Government Board. This gentleman was also in the usual way subject to the supervision of Parliament—or, in other words, he himself was wholly responsible for the work of his Department to Parliament; and, as a consequence, he was responsible also to Parliament for all local Government itself. Thus was the link established between Parliament and Local Government.

*The Ministry of Health.*—In 1919 a sweeping reform was made. Parliament set up a Ministry of Health—*i. e.* a new and special Department which was to control and administer all matters relating to the Health of the People. This clearly made it necessary to take away much power and work from the Local Government Board; so it was decided that the Local

Government Board should no longer exist as a separate Department, *but should be taken over and made part of the Ministry for Health.* Hence the curious title of this chapter.

The creation of this new Ministry strengthened the link between Parliament and Local Government. The administrative powers given by Parliament to the new Ministry were much more sweeping than those possessed by the old Local Government Board. The control of Local Government by the Ministry of Health is therefore more stringent. And, of course, just as the old Local Government Board was controlled and presided over by a Cabinet Minister responsible to Parliament, so is the new Ministry of Health.

*The Board of Education.*—Another link between Parliament and Local Government can be found in the Educational System. Here, too, the same method of control is in force. All Education Authorities throughout the country, who spend public money, are directly responsible to the Board of Education—another Government Department.

*The Home Office.*—A further strong link exists in the Home Office—the Government Department which supervises all matters connected with the police and prison systems, and all that is concerned in securing the public observance of the law.

It may at first sight have seemed foolish for the Central Government to have given away

so much of its governing authority to Local Bodies. This practice and its system may have seemed to have weakened the Central Government. An examination of these "links," which connect the two systems, shows how wrong such a view would have been. They clearly give the Central Government the strongest hold over the Local Authorities to whom it has *delegated* some of its power. And instead of being weakened, the Central Government is strengthened by having its hands free of local affairs, and thus enabled to devote all its energies to affairs of the State.

Nor, on the other side of the question, must it be supposed that the work of the Local Authorities is hindered or weakened by the control of the various Government Departments responsible for Local Government. As a general rule the Departments never interfere unless it is absolutely necessary to do so; and then their exercise of their higher authority is always most delicately and tactfully made. It is agreed that anything that would cause Local Authorities to lose interest or heart in their great work must be avoided. Any *undue* interference of the Central Government would therefore be wrong and most regrettable. Only when the welfare of the People is threatened by the failure of some Local Council to carry out the law, does the proper Department interfere,—and such interference is right. On the other hand, Local Councils are assisted

very much by the Departments. They know that their "small" authority is backed up by the "large" authority of the Departments. This knowledge strengthens them to act in times of crisis, and in the commoner case of framing and carrying out a *forward* policy in Local Government. It gives them greater weight and influence in their difficult work.

In the present period, and probably for the next ten years, the authority of the Departments over Local Government will be more strictly exercised than in the past. We live in a period of sweeping social reforms. In Education, in the Provisions for Public Health and the Poor, in Housing and in Transport—very rapid progress is now being made towards a better state of things. A great deal of the detailed work of these reforms will actually have to be done by Local Governing Bodies. And, for one reason or another—especially that it is impossible to raise the rates any higher—Local Governing Bodies may either refuse to carry out the work or follow the paths of reform too slowly. Thus will it be necessary for the Departments to step in and insist upon the will of Parliament being obeyed.

Already, there is a good instance of this governmental action. It also illustrates the whole question of the "link" between Parliament and Local Government by means of the Government Department. The Housing Question was very acute during the War,

1914–18. During 1919 it became an exceedingly serious problem. No less than 600,000 houses were required in Great Britain. The welfare of a large section of the State demanded these houses; and Parliament justly decided that they must be built. Building sites and building materials of all kinds were so tremendously dear that very little if any private house-building was begun. The outcry of the People became so great that the Government had to act. It was decided that all Local Authorities must survey and report how many houses were wanted in their area; they were to choose building sites, prepare plans for building and undertake the responsibility of having the required number of houses built. Time limits were fixed for them to fulfil these functions, and the Department finally responsible to Parliament—the Local Government Board (later the Ministry of Health)—showed unusual vigour in reminding the Local Authorities of what they were expected to do. This vigour became more active and marked when Local Authorities up and down the land stated they were in full sympathy with the proposed schemes, but regretted that the time limits were too short, the money difficulty was too great, the questions of labour, material, and sites were exceedingly worrying, etc. In short, a distinct difference of opinion as to the ways and means of building the necessary

houses was shown to exist between the Central Government and the Local Government Authorities. It was necessary for the Central Government to show its final authority through the medium of its Department before the Great Housing Scheme became a practical measure.

The responsibility of Parliament, as the guardian of the State's welfare, always justifies its pressure upon Local Authorities in such instances as this.

### Questions.

1. Why is it necessary for Parliament to control Local Government?
2. How is this control secured?
*3. Which is preferable—centralization or decentralization in Government?
*4. How far does the new Ministry of Health improve upon the old Local Government Board?

# PART III.

## CITIZENSHIP AND ITS PRIVILEGES.

## CHAPTER XX.[1]

### A CITIZEN AND HIS RIGHTS.

A CITIZEN really means a man who lives in a town or a city. We get the word from the Latin word "*civis*," which meant a fully fledged member of any town or city in the Roman Empire. The chief point to notice about it is, that it takes for granted *that a man is living in close social contact with other men*—that he is, indeed, a member of a human settlement or association.

Have you ever wondered why men do not live alone? It is true that hermits and anchorites cut themselves off from their fellows and live out their life in wretched isolation like white elephants. But they are rare fellows—and regarded by most people as foolish. As a matter of fact it is *unnatural* for men to live alone. The social instinct is theirs: it is very

[1] This chapter to be read in conjunction with Chapter XXX—if so desired.

strong and drives them to "herd" together, just as it does other animals.

The simple truth is that *men have need of one another* in a hundred or a thousand different ways—as you can easily see, if you think it over. Thus it has happened that from the earliest times men have associated together—lived in settlements—either of the large family or of the tribe. As we saw when we discussed the State and its growth, it was only a matter of time and opportunity, and the needs of an ever-increasing population, that caused tribes to swell into communities of the same race, and for these communities to develop into kingdoms and nations, possessing fertile countries and populous towns. The modern State is but a natural growth and can easily be traced to its origin. In our own case History gives us a wonderful example of this growth, and it has all happened in less than 1500 years.

So it is that we give the name of "citizen" to-day to the fully-fledged member of the State—man or woman. The citizen need no longer be merely a member of his own particular town or city. So long as he *is* one of his nation and possesses the "rights" that his membership of his nationhood and State confer upon him—he is called a citizen.

Realizing that the State is a vast association of men and women of the same race, and that within the borders of their State and

under its governed protection *all its members live in social intercourse with one another*, it is easy to see that a host of *relationships* must exist between its members.

Now, these relationships are very important. They certainly do exist, whether we know it or not, *e.g.* my milkman or grocer has relationships with me—commercial relationships. The postman or the policeman are related in some way to me—if I care to find out what. That the farmer who grows the corn, and the baker who bakes it, and the boy who brings the loaf to my door are all connected with my life and its needs is also pretty clear. And so I might go on giving you a fairly long list of the many vital relationships I have necessarily with my fellow-citizens, just because I live with them within the State. But if you consider the matter you can make out your own list. It will be instructive on this point—even if you do get tired of it before it is finished. It will at least prove to you that you cannot live *alone*, and that social intercourse is a necessity. Perhaps you will notice, too, that these relationships are of various kinds. They are social, political, economic, legal, religious, and so on. Domestic and family relationships are, of course, of another class.

*Duties and Rights.*—Although men's need of one another is proved by the existence of these relationships, yet it is easy to understand that their association in a State must be regulated

on certain *agreed lines of conduct*. That their actual membership of the State imposes upon them certain *duties* both towards the State and towards one another goes without saying. That they all enjoy certain *Rights* or *privileges* for the same reason is as important a truth. Citizenship is indeed a two-sided bargain. Certain rights are enjoyed; but certain duties have to be performed.

We shall deal with a citizen's *duties* in the last section of this book. Here his *rights* or privileges will be discussed. Notice, however, that the two cannot really be separated: they are like the two sides of a coin. They represent together the whole of citizenship. You must take it as a whole—or leave it.

No one will doubt that his civic *rights* are important and valuable to him—even if he is inclined (unworthy fellow!) to shirk his civic *duties*. It is necessary, then, to have a clear-headed and full grasp of them.

The chief among them, *e.g.* the Right to Vote, the Right of Legal Equality, of Religious Freedom, etc., will be discussed in the succeeding chapters.

Before we start upon them, however, try to think out for yourselves *why it is that civic rights exist at all.* Try to get to the bottom of this big question—to their source.

I have already given you one valuable hint, viz., that the necessary social intercourse of men must be on ordered lines—and civic

"rights" as well as "duties" must follow as consequences. But this is only half the truth.

The other half will be found in the *idea and fact of private property.* With the beginning of this idea and fact also began the idea and fact of one man's RIGHT against his neighbour —either in the State, or the tribe or family, or *outside of such human associations!* This is the true key to unlock the problem of civic rights. *The right of private possession*—that is, that a man keeps as his own things he has made or gained for himself—*is the very basis of his civic rights.*

Another fact of tremendous importance is that we are all born FREE men and women. Our freedom of birth gives us big *natural privileges.* These natural privileges are in some States considered dangerous to the common welfare and are, consequently, checked, regulated or denied. In the British State we can to-day enjoy all our natural privileges. Indeed, we have, so to speak, turned them into civic rights. How this satisfactory condition of things has come about, it will be interesting to see.

QUESTIONS.

1. The ancient and modern meaning of "citizen."
2. What is a Social Relationship?
3. Why did Robinson Crusoe manage to live alone?
*4. The origin of Civic Rights.
*5. The value of Civic Rights.

## CHAPTER XXI.

### SOCIAL FREEDOM.

IN the Middle Ages the ordinary man or woman had little social freedom. They were at the "beck and call" of the baron and the priest. In their very simple mode of life there was, of course, not much scope for this form of liberty. There were practically no means of using or of enlarging it. Life then was wholly domestic, and was lived out according to the customs and traditions of one's forefathers. If a man were born in a village and brought up on the land, he generally stopped in that village, and worked that land till he died. If he chanced to live in a town, he generally stayed all his life within its walls, and had his trade as his chief interest. The Festival or Holy-day, the cock or dog fight, the wrestling match or the drinking bout, were his only chances of having a "change" or enjoying his small measure of social freedom. How checked this privilege was is best seen in the fact that if he wanted to change his dwelling, or wished to leave his village and journey to another, or even if he wished to take a holiday and, as was the custom, go on a pilgrimage, he had to get *special permission* from both the Lord of the Manor and the priest. In those grim days

the State did not think it wise to allow a man much liberty—even so natural a liberty as social freedom.

To-day, the liberty or privilege of social freedom is fully enjoyed by one and all. The working man has as much as a millionaire; his means of enjoying it are less, that is all. There is no State interference except in one or two absolutely necessary points, as we shall see. I can live where I wish, go where I choose, do whatever I desire, talk, and visit whom I please, work in whatever line of life I feel I ought to. I am free to change my mode of occupation, my employers, my religion, my habits of life. I can marry whom I wish and bring up my family as I want to. I can even refuse to have my children vaccinated, if I do not believe in it. Provided I have the means, I can spend as much of my time and money as I desire on travel, art, education, research or even amusement. Particularly would I have you notice, that in the important matter of travel, my social freedom is almost absolute. Moreover, the existence of our wonderful systems of transport allow me every means by which I can satisfy this social desire. The wealth of our modern State has allowed the creation of these vast systems of quick communication—and I owe a big debt of gratitude to the State not only for them, but for my freedom to use them. Anywhere within the borders of our land I can go in times of peace *without permission*. I am free as a citizen to enjoy to the full all the

means that exist and the advantages of as much social intercourse as I can get or wish.

The extent of this privilege is so great and we have grown up to regard it as so common a right that, I fear, we do not always realize how valuable it is or how fortunate we are to possess it. If, however, we glance at one or two examples of the *restrictions* of this liberty that can be said *legally* to exist, we shall perhaps see its value more clearly.

For example, although I can travel during times of peace within the borders of our State without permission, I have to get the written permission of the Government to leave it for foreign travel. This permission is generally granted. Except in war time, when enquiries are close and severe, and very few people are allowed to leave the country, this permission is only a formality. All the same it is necessary to get it in the shape of a Passport—*and it may be refused.*

Again, I am not free in the vital matter of Education. The Government compels all children to be educated until they have reached certain ages, and also compels them to be educated according to certain educational systems. If I refused to send my children to school, or provide for their education, I should be fined, and possibly imprisoned.

Again, in the matters of Registrations of Birth, Marriage and Death, and in the proper humane burial of the dead, our social freedom may be said to be limited by law.

• Or again, if I am so bad a man that I grossly ill-treat my children or desert my wife, the law can compel me to carry out my duties in a decent way to them.

Examined closely, restrictions such as these on social freedom, are found to be necessary. They safeguard the social interests and welfare of the State. Nobody grumbles at them. Indeed, people are apt to grumble in the opposite way—namely, *that the Government does not interfere enough*, that we have too much social freedom, and that if it were restricted more the State would be healthier and more prosperous. They say, for example, that the Government ought to control the Drink Traffic; that unhealthy, especially consumptive people ought not to be allowed to marry and have consumptive children; that landlords ought to be made to sweep away slum properties; that the loafers and tramps and vagabond types ought to be compelled to do useful work, and so on.

There can be no doubt that, valuable as our personal and social freedom is, we can all afford to lose a little if the State as a whole will profit by our loss. And it ought to be noticed that this patriotic view is becoming more and more widespread, and that *the tendency of modern government is to encroach on this privilege and so benefit the State at the expense of the Individual.* Striking recent examples of this tendency are (i) *The Employer's Liability Act*—an act which definitely takes away certain free-

dom from the employing class. (ii) *The National Insurance Act*, which compels all the millions of poor people and ordinary working-classes to insure themselves against ill-health and unemployment.

At the present moment also there is being passed through Parliament a great Bill—called the *Ministry of Health Bill.* When this is passed, and the Ministry of Health is fully set up, all citizens can expect to forfeit some of their privilege of social freedom in respect of the measures they usually take to promote and safeguard the health of themselves and their families.

Generally speaking, however, we are socially free to-day. So long as we respect and obey the law we can pursue whatever social line we wish through life.

Lastly, whatever part of this privilege the State calls upon us to surrender, we ought to give up willingly: our small loss is for the big gain of the State as a whole. And, in any case, we shall not be called upon to surrender more than we can well afford.

### Questions.

1. The value and the necessity of this privilege.
2. Compare a slave's life and that of the ordinary modern citizen.
3. Give some examples of the restrictions of this liberty. Can they be justified?
*4. Discuss the effects of War on this privilege.
*5. How does the Eugenist regard this privilege?

# CHAPTER XXII.

## POLITICAL FREEDOM.

THE value of this great privilege, which you will enjoy as citizens, cannot be understood unless you first know what is meant by Politics. The practice of Politics to-day is extremely important and necessary in the life of any State. It really makes up in itself the science of ruling or governing the State. The State, as we saw (Chapter II), is a *live* thing, vast in extent, interests and power, yet very delicate to handle and control. Nowadays all citizens have some voice in the control of it; *i.e.* in the way they themselves are governed. They ought all, therefore, to be interested in politics —for politics is nothing less than all matters which touch upon and concern the control and government of the State.

Another fact to be remembered is that modern politics involves political Partyism. In normal times we are ruled by Party Government, and political life and actions are organised on Party lines. We have to-day three famous political parties—Liberal, Conservative, Labour —and there are others, smaller and less powerful in interest for our people. Each of these

parties stand for certain *big principles of politics*—*i. e.* big lines of policy on which they believe the State can be most successfully governed. In an election these parties appeal to the people : *the people have the right of choice between them.* So we get a Liberal, or a Conservative, or a Labour Government (*see* Chapters III, V).

*The Privilege of Political Freedom.*—In this "right of choice" between the various *political* parties you can see this immense liberty we possess—*political freedom.* We can each of us be what we like politically. There is nothing to prevent my being a Liberal or a Labour politician, or any other type. Indeed, if I wish to be an Anarchist, I can. If, on the other hand, I wish to live apart from politics and take no interest in political life, I am free to do so. In its scope this privilege, you see, is as wide as it can be.

It is also an *absolute possession of citizenship.* For hundreds of years no one, no matter how powerful, has attempted to deprive us of it. Even in the olden days, Englishmen always took the political liberty of choosing between the barons and the King in their wars; and in the famous struggle between Parliament and the Stuart kings in the seventeenth century, the exercise of this political and civic right is seen freely displayed.

But especially in modern times—since the eighteenth century onwards—has the value

and the possession of this privilege been made clearer to all men; and this fact has resulted from two political developments of first-rate importance.

(i) The growth of the Party System of Government. With the appearance of the Tories and the Whigs in the eighteenth century, the political allegiance of citizens to one or the other was a natural consequence. They knew or ought to have known what each party stood for, and chose the one or the other as they wished. During the last two hundred years the organization of Parties has been very successful; Party Government, of which we spoke, has resulted; *and it is built upon the basis of this very privilege.*

(ii) The Parliamentary Vote. Without the possession of the vote political freedom is not of much value, unless there arises the necessity of taking up arms to fight on one side or the other in a civil war. In modern times there have been no civil wars in Great Britain. Therefore, until the vote was given to all citizens, there was always the possibility that some citizens could not enjoy the use of this privilege. The great political Reform Acts of the nineteenth and twentieth centuries (*see* Chapter X) gave the vote to practically all citizens. So it is that to-day our citizens generally not only possess the privilege of political freedom, *but can use it.*

They use it by either choosing their political

Party, by casting their vote intelligently at the Elections, or by refusing to have anything to do with politics. As we have seen previously (Chapter X), the possession and the use of the vote really make us a *self-governing people.* It is easy to see, then, that this tremendous power and privilege of being *self-governing* is itself based absolutely upon this other and equally important privilege of "political freedom."

What lesson can we draw from this? Surely the following: that having the power to govern ourselves we should make the sincerest efforts to govern ourselves properly; that having the privilege of "political freedom" we should always try to exercise it rightly.

But neither of these two ends can be gained *unless we are first interested in the affairs of our State, and in the workings of our mode of Government.* That we, as citizens, ought to take the warmest interest in these things, and try to understand them so far as our abilities and knowledge let us, goes without saying. It is our duty to do so.

Do not, therefore, lose any chance of learning about politics. *Make yourself take an interest in them.* Remember always that as a citizen you have an immense power for good or evil in your political freedom and the use of it by the vote. Use it rightly and well. Determine to be worthy of so valuable a privilege. The man who shirks politics and who leaves the State to

itself, is not only lazy and unworthy of civic privileges, but he is a fool in that he is letting his fellow-men manage what are really his own affairs.

QUESTIONS.

1. Discuss the meaning of Politics and its necessity.
*2. Show that Self-Government is the result of Political Freedom.
3. What modern facts have made Political Freedom a reality to all citizens?
4. Could a slave be "politically" free? Give reasons.
*5. The abuse of Politics.

## CHAPTER XXIII.

### RELIGIOUS LIBERTY.

To-day we both as citizens and as a race enjoy full Religious Liberty. Our freedom in religious matters is absolutely unchecked. If we are religious, and feel the need of attending divine service, we can go to Church, Chapel, Conventicle, Salvation Army Hall, Synagogue or wherever we choose. We can be members of any religious sect or believe in any creed—be it Roman Catholic, Anglican, Methodist, Jewish or any other. If we wish to go nowhere, and prefer, as many people do, to worship God privately in our own homes, we can do so freely without fear of interruption. If, on the contrary, we have been taught to pay no attention to religion, and deny the value of all spiritual things and life, we are at liberty to avoid religion and its works altogether.

Our religious liberty is a great and a wonderful liberty; not because its scope of action is unlimited, but rather because of its peculiar character. The misfortune to-day is that we have grown so used to this freedom, and regard it as so common a right, that we do not think about it enough to understand even in a small

way how tremendously *valuable* it is as a civic liberty. It is, however, regarded by many people, who do think about these things, to be by far the most valuable of all our liberties. Whether it is to be more prized than such great privileges as "political freedom" or "legal equality" must remain a matter of opinion. So far as you are concerned it will be enough if you learn from this short chapter that your Religious Liberty is among your greatest liberties and possessions as citizens, and that you accustom yourselves to think about it and prize it as of inestimable worth.

Its value will to some degree be made clear to you by a brief account of the struggle our forefathers had to win it.

In the first place realise that the idea as well as the fact of Religious Liberty are both *modern*. The privilege has only been enjoyed fully during the last hundred years.

In the second place realise as clearly that for thousands of years *this liberty did not exist*—*i. e.* it was denied to men.

In the old Roman Empire all citizens had to worship the state gods; if they refused they suffered terrible punishment. The persecutions and martyrdoms of the early Christians illustrate this. In the great European empires which followed that of Rome, and in the great kingdoms, such as Spain, France and England, which followed these empires of the Dark and Middle Ages, the same rule was strictly enforced

both by custom and by law. During these periods (800–1500) Europe was Christian. The Roman Catholic Church was strongly established. Its religion was the *officially accepted religion* of all civilized Europe. *No other religion was legally allowed.* If religious liberty were claimed, those who claimed it were regarded either as mad or as traitorous, and death was the usual penalty. Many a terrible story of *religious persecution* is to be read in the history of these times. The simple truth was that the various governments of Europe (the English included) recognized no other religion than Roman Catholicism and compelled all their subjects to accept it.

In the sixteenth century came the vast and revolutionary movement known as the *Reformation.* This was nothing less than a successful religious revolt of some nations, such as England, Scotland, Holland, from the authority of the Roman Catholic Church. The governments of these nations turned Protestant. Protestantism was henceforth their State religion; and every one (although previously Roman Catholic) had to worship according to Protestant rites and ceremonies. The result was another age of cruel persecutions, martyrdoms and stern governmental repression of any attempt at religious liberty. Roman Catholics and Protestants fought each other for the control of men's spiritual life. That terrible instrument of religious persecution—

the *Inquisition*—was reformed and more fully established in this age. The struggle continued for over two hundred years.

Turning to consider England especially, we find the same state of things existing. England had turned Protestant. Under Queen Elizabeth (1559) the special form of Protestant religion, which is still the State religion to-day—Anglicanism, or the Reformed Church of England—was set up, and stern laws were passed to make *all* men accept its creed and its rites. But thousands of Roman Catholics refused on the one hand; and on the other, the Nonconformist sects began to grow in strength. So religious persecution was twofold in our land. And here, too, it continued for centuries. The Roman Catholics gradually lost strength; the Nonconformists waxed exceedingly strong; persecution made their cause flourish as it did that of the early Christians.

At last, about the end of the seventeenth century, the folly of this religious warfare began to dawn on our rulers, and the legal restrictions against Nonconformity began to be relaxed. But this brutal custom of centuries died very hard. Only during the eighteenth century did the Nonconformists and Roman Catholics gain full liberty to worship freely as they wished.

Although bodily persecution was thus ended, and spiritual freedom in the actual matter of worship gained, persecution of another sort was still carried on. This was *political persecution*.

*E. g.* no Roman Catholic was allowed to vote or to sit in the House of Commons or to hold a Commission in the Army. *Religious recusants,* as all people who did not accept the creed of Anglicanism were called, *were excluded from public life and all State offices.* The Nonconformists, growing tremendously strong in the seventeenth century, compelled the government to stop the worst forms of this political persecution, so far as they were concerned: but not until 1825, when the Roman Catholic Emancipation Bill was passed, did the Roman Catholics obtain signal relief from these heavy civic disadvantages. Yet this form of persecution also died hard. Up till 1868 Nonconformists were compelled to pay Church rates; and as late as 1871, *e. g.*, an Act was passed which compelled the Universities to open their appointments and to grant degrees to people who did *not* accept the State religion.

To our common-sense it seems very foolish to burn and torture people who do not accept the State religion; and to exclude them from public life, after allowing them freedom to worship how they please, seems mean. But there was a good reason for it all, in the opinion of the old governments which were guilty of these deeds. It was in effect—*that at all costs the entire nation must be politically and religiously united.* The troubled times demanded such national unity and the governments determined to get it by force, if necessary:

hence the prolonged persecutions. All those who refused to accept the state religion and worship as ordered by law—*i. e.* all those who claimed religious liberty—were really *traitors* in the eyes of these governments, traitors who were destroying the *unity of the nation*, and who must, therefore, be punished for their "treasonable" opinions and work. This reason may not satisfy us to-day. But the world has grown older and very much in wisdom since the days in which it was accepted as sufficient.

Enough has now perhaps been said to make you think carefully about your civic privilege of religious liberty, and to see that it is in itself so valuable a privilege that millions have been martyred to win its blessings for the citizens of various nations to-day. If ever you are tempted to scoff at this liberty, reflect for a while on the horrors of the Inquisition or the burnings at Smithfield and you will change your view. If you had lived in Queen Elizabeth's time you would have had to attend divine service in the Church of England—the State form of religion—*at least once a month.* If not you would have been fined heavily for the first offence; for the second you would have been imprisoned and all your goods taken away; for the third you would have been very lucky if you had escaped a "traitor's," or a "martyr's" death.

To-day, we as citizens agree that the govern-

ment has a full right to control the *material* things of our social, industrial and political life; but we claim that no government can rightly control our *spiritual* life. That is a matter entirely personal—between ourselves and God. And our claim is allowed.

QUESTIONS.

1. Why was this liberty so strongly refused by old Governments?
2. Is this liberty necessary to citizenship?
*3. Do you think the State gained or lost by the "political" persecution of religious recusants?
*4. Discuss the value of the idea of religious Toleration.
*5. Discuss the *pro et con* of (*a*) "Disestablishment"—(*b*) "Disendowment" of the Church of England.

## CHAPTER XXIV

### SECURITY.

It is a common saying amongst us that "An Englishman's home is his castle;" or, as another version puts it, "An Englishman is king in his own castle." An important truth lies buried within these words. It takes us back to the rough-and-ready days in the Middle Ages when the baronial castle was the only place of protection and defence in the district against enemies who came to kill and plunder and to lay waste the land and homesteads with fire. Then only the baron and his men and their families were secure behind the impregnable walls of his mighty castle. When life became more ordered and *Government was strong enough to protect all men* from harm, castles were no longer necessary as defences. Popularly, however, the tradition of the baron who was indeed the "king of his castle" lingered on, and ordinary men came to look upon their own homes as their castles, for they were masters—"kings"—in them, and their frail walls were usually sufficient protection from the assaults of foes.

In speaking of the civic privilege of security

we mean that we are protected by the power of the State. It is part of the State's duty to give us this full measure of protection; and the fulfilment of this duty charges the Government with immense labour. Looked at from this standpoint we see that our Navy and Armies have been created for no other purpose than to defend us from the attacks of foreign enemies. Unless the Government had developed this huge system of State defence our freedom of life within the State would be in constant danger.

Unfortunately, as we know, perils of another kind do also exist *within* the State. The whole class of law-breakers are enemies within the State. A thief or a murderer is a deadly civic enemy, even though he be a fellow-citizen. The Government has, therefore, to protect the people from these foes. It does so, of course, by its vast and elaborate and very expensive system of Police Service and legal administration.

Two ideas, each based upon facts, arrest the attention when this privilege of security is properly discussed. I, as a citizen, agree that the State grants protection in the ways above stated. But I go further and ask *what is protected?* What enjoys this security? I then get at once to the two ideas and their embodiment in facts. They are (i) LIFE; (ii) PROPERTY.

(i) *Life* is held to be sacred. It is held to

be morally and legally wrong to destroy it. Life is also clearly our most valuable possession. That my life ought to be of the utmost service to myself and to the State cannot be denied. Protection of it is therefore necessary. Only because it is so fully protected by the laws and actions of the State am I free to make the most use of it. *Personal Security*, therefore, is to-day absolutely guaranteed to all citizens. It is a priceless privilege. Any one who seeks to injure or to destroy it is at once an enemy of the *State*, and is dealt with as such.

(ii) *Property* is necessary to support life. That is why most property is *privately* owned in our State. This also must be guaranteed protection. Unless it is, life itself is distinctly threatened. Thus it has come about that the State acknowledges that it is its duty to defend property and the private possessions of private citizens as thoroughly as it defends human life—and it fulfils this duty to the very letter.

Returning to the old saying with which this chapter began, it is evident that an " Englishman's home " represents the existence of both Life and Property together. A citizen and his family live in the home, and the home is private property. Their peaceful life and undisputed possession of their home bear witness to the full measure of protection granted by the State. Compare any such instance of modern *protected* home life with the *undefended*

home life of the olden days, and you will quickly see the real truth—that the *security of both life and property* to-day is a privilege we enjoy *only because the State Government is strong enough to allow us to enjoy it.*

The strength of our State and the power of its Government are so great that there is no possibility of our losing this civic privilege. Indeed, we find that the privilege itself is extended: it is no longer a mere civic privilege but an *imperial* one. That is to say, that whether we are *within* the British State or *out* of it—say, in any part of our Empire, or, indeed, in any part of the foreign world at all—our life and property as British citizens are still protected by the power of our State Government, *e.g.* if I were assaulted and robbed or killed in Canada, the British Government would, if necessary, insist upon justice being done. If I were attacked and robbed in Russia or Timbuctoo or anywhere else, I could appeal to the British Government for help, if the law of the State I happened to be in at the time of the "accident" refuse to give me justice.

*Value.*—The value of this privilege of *Security* ought to make us all respect and prize it, particularly when it is recalled that we cannot claim it as a "natural right," as we can some other privileges—freedom of speech, for example—but have to depend wholly upon the strength of the State Government for it.

### QUESTIONS.

1. Define this privilege and discuss its origin.
*2. What is Property? Discuss its uses.
3. Why is a robber an enemy to the State?
*4. How could the British Government protect me if I were in Russia?
*5. Compare the ancient Roman privilege of security with the British.

## CHAPTER XXV.

### LEGAL EQUALITY AND JUSTICE.

In Chapter XII we made a brief review of our magnificent system of Law and the strong machinery that had been slowly perfected by which the law was rightly administered. We saw that Law is nothing more than an attempt to secure Justice *peacefully* between man and man. It is the chief instrument the Government possesses to keep order in the State. And a *respect for law,* its functions and its results is expected and demanded from every citizen. This freely-given measure of respect for Law from every citizen is one of the few sound foundations upon which the welfare of the State can be built.

But if this respect is demanded by the State it is only right that the citizen should in his turn demand the civic privilege of "*Legal Equality.*" This simply means that before the law, or, as we say, "in the eyes of the law," *he shall be equal* to any other of his fellow-citizens: that he shall not be given less or more consideration and tried unfairly because he happens to be poor, or a man of bad life in the past, or through any such social misfortune

he may have had. As a free citizen of the British Empire, he can claim to be equal with all his fellow-citizens as a person subject to the burdens and penalties of the law on the one hand, and, on the other, as a person who can, if he has need, appeal to the law for protection and redress of wrong suffered.

To-day this grand privilege belongs to British citizenship. The State ordains that it shall be the citizen's right. That Justice shall be done is the sole aim of the State in the administration of the law. And civic "legal equality" is rightly regarded as absolutely essential if this aim is to be achieved. Thus it is that to-day the law is impartially meted out to one and all. It knows no favourites. Whether the citizen be the Lord Mayor of London or the humblest labourer he is free to invoke the aid of the law: or if, as an offender, he is tried, the same method of legal procedure is followed and the same measure of Justice given.

It is often remarked by foolish people that there is "one law for the rich and another for the poor." If this were so the liberty of "Legal Equality" *would not exist* as a liberty of citizenship. As a matter of fact it is not true. There is only one law and one method of administering it. To accuse in this way the Judges, Counsel and Jurymen of unfairness is a very serious charge, especially as the State ordains that they shall do their work *impartially*. Also, in view of the splendid record

and character of our legal administration for impartiality and the securing of justice, this charge is proven silly and wicked. Do not believe such people unless they can prove what they say.

The value of this privilege of citizenship is easily understood; for this reason it is perhaps the most popular of all our civic privileges. Even the ignorant citizen has learnt somewhere that he is "equal before the law" and is jealous of his right. Its popularity can also be explained on the ground that it is a very ancient right. So necessary a privilege of State membership is it, that in the very early days it was commonly claimed, although not always granted. As in all cases of civic privilege, it was gained by the struggles of our ancestors. It was an up-and-down struggle: sometimes they enjoyed this privilege and sometimes not—until the justice of the cause triumphed in the seventeenth and eighteenth centuries.

You may remember that in the Magna Charta (1215)—commonly called the Great Charter of our Liberties—there is the famous Clause 39, which promised *the right of every free man to be declared guilty or innocent in a legal trial by the verdict of his fellow-citizens.*[1]

[1] Magna Charta, c. 39. "No *free man* shall be taken or imprisoned or dispossessed or outlawed or exiled or any ways destroyed; nor will we (*i. e.* the King) go upon him, nor will we send upon him, unless by *the lawful judgment of his peers* or *by the law of the land.*"

This was the big first step. But in the turbulent centuries which followed "legal freedom and equality" were again lost. The great barons, bishops and kings could always, if they chose, condemn a man—even a great man—to imprisonment, exile or death.

Four hundred years were to elapse before this unjust practice was condemned by law. In 1679 a famous Act of Parliament was passed which every Englishman should know. It was the *Habeas Corpus Act.* This Act registered the ancient privilege of legal freedom belonging to citizenship. By it every prisoner—except those charged with treason or felony—could demand to be brought into court and stand his trial according to the law. Even the felon and the traitor had to be tried within a certain time or else be released on bail. And the royal practice of condemning prisoners unheard to imprisonment in places or fortresses beyond the seas was forbidden under the heaviest penalties. The gist of this great Act was this: *that it confirmed and secured to all citizens the right of speedy and fair trial at law.*

The last stage in this struggle came in 1701, when the Judges were no longer allowed to be the servants of the Crown. Until this year the Crown had always had the right of appointing the judges. Being the king's servants, they were always apt to secure a verdict pleasing to the king. Political trials were therefore often scandalously conducted. The

"legal freedom" of the citizen availed him nothing if the King, the Government or the Judges were against him. In this year, however, the independence of the Judges was established. Judges were appointed only on the recommendation of Parliament and held office only "*so long as they behaved well,*" *i.e.* dispensed the law fairly. This method of appointment is still in use (*see* Chapter XII).

The above are the three chief stages in the struggle our forefathers waged for this invaluable liberty. It is too long a story to tell fully. From this time, 1701, however, the "legal freedom" and "equality" of the citizen have been acknowledged by the State and have grown in scope and power. Necessity has arisen in times of grave national peril (such as the Napoleonic period) for the *suspension* by the Government of the Habeas Corpus Act, but such suspensions have always been temporary.

Lastly, it must be noticed how staunch a bulwark to this privilege is our system of *Trial by Jury*. We saw (Chapter XII) that this system was peculiarly English in its object of securing to every man the justice of an impartial trial and verdict. Guilt or innocence is decided by a body of twelve "good and true" men, the legal equals of the man on trial, and *strangers* to him, after they have silently listened to all the witnesses both for and against him. In this system we see the

legal principle of that ancient clause in the Magna Charta at work. By the modern Jury system it is practically impossible for a legal case not to be properly conducted: and the verdict, in that it is an agreed opinion of twelve strangers, is almost certain to be honest and just.

We can, therefore, rest satisfied that our "legal equality" will never again be seriously threatened. It is secured to us by law, by the independence of the Judges and by the Jury system. Justice is part of the civic and national birthright of the British People. We are traditionally proud of it. The means of obtaining it, if necessary, are, however, the important things to consider. Only in the process of a legal trial can these be fully found. And, strong in his possession of "legal equality," no British citizen need hesitate to stand his trial or invoke the law—for *Justice* will always be cleanly dispensed.

QUESTIONS.

1. The necessity of this privilege.
*2. The circumstances under which it can be justifiably suspended.
3. How is it guaranteed?
*4. Is our system of Trial by Jury satisfactory as legal procedure?
5. How can the resignation of a judge be enforced?

# CHAPTER XXVI.

## FREE SPEECH.

"To speak your mind freely" is undoubtedly a natural right, *i.e.* it is part of your birthright as an intelligent and a talkative being. Freedom of speech seems to be the proper consequence of freedom of thought. True as all this seems to be, however, such freedom has from ancient times often been denied for *political* and *religious* reasons. Ordinary citizens have not been allowed to speak freely at all times. Stern laws and grim punishments through the course of hundreds of years denied them the right to do so. Freedom of speech would have allowed men to attack the established State Religion or the Government and its Ministers—possibly, also, to stir up rebellion and cause tumult; so severe checks were put upon it.

After the invention of Printing and the appearance and rapid multiplication of printed books and pamphlets, in the sixteenth and seventeenth centuries, these same *political* and *religious* reasons were held to justify similar checks being placed upon the liberty of the Press. Men were not allowed to be free to

publish abroad whatever they thought or desired.

To-day, both *Freedom of Speech* and the *Freedom of the Press* are enjoyed. They are in themselves two priceless liberties among the many liberties which the British citizen possesses. The story of the struggles by which these liberties were won is full of interest. But only the briefest outline of them can here be given.

(a) *Free Speech.*—Parliament—or rather the House of Commons, the "home of English liberties"—saw the first stages of the fight for this freedom or privilege. The people's representatives in the fifteenth and following centuries felt strong enough to claim the right of open and free discussion in Parliamentary Sittings. The King refused their claim. Nothing daunted, they exercised it whenever possible; and, nothing daunted, they suffered severely for their pains. For no less than three hundred years did the House of Commons persist in their claim to the right of "Free Speech" as one of their "ancient rights." Not, however, till Parliament overthrew the Stuart despots were they absolutely successful. Freedom to debate the policy of the Government has been fully exercised ever since. To-day, an M.P. is protected by the House of Commons in his exercise of this right. The House is extremely jealous of this privilege and guards it with a lynx eye. If any utterance is bad or objec-

tionable or "unparliamentary," as it is called, the House itself claims the right of "punishing" the speaker and will allow it to no other power.

This victory of the House of Commons paved the way for the restoration to the ordinary citizen of his natural right of free speech. Gradually did all the harsh laws against it fall into disuse. During the eighteenth and nineteenth centuries it can be said generally to have been won. To-day we regard it as an immemorial privilege.

(b) *Freedom of the Press.*—As an instrument of stirring up sedition or for causing men to think and act dishonourably to the State, the Press was long ago not only extremely powerful but unique in its success. Leaflets and books were secretly printed and distributed by the thousand. In the troubled times of the sixteenth, seventeenth and eighteenth centuries this danger to the State caused the Press to be put under official and royal guard. No printer could set up a printing press nor publish anything at all publicly unless he was first *licensed* by the King (and he had to pay heavily for this licence); and, secondly, all his printed matter had to be passed by the King's censor. This censorship of the Press was most severe. The two chief results of this system were: (i) very few (royal) printing presses were allowed; (ii) a vast number of *secret* presses existed and a widespread trade in smuggled and illicit literature was carried on.

Naturally, the public outcry against this system was great, and increased as the desire for reading and for books grew. Notable men led this protest. One of the most famous prose writings in our language—a small book written by the illustrious poet Milton and called the *Areopagitica* (1641)—is a scathing denunciation of the tyranny of the Press censorship and a clarion call for freedom. The overthrow of the Stuart kings during this century led to the end of this unjust system. It lingered on, gradually to disappear in the following century. The freedom that Milton cried for was won.

But this great victory did not end the matter. With the rise of the newspaper in the eighteenth century—the Press proper, as we know it, began. The newspaper fashion spread rapidly; and editors, assuming freedom, reported speeches made in Parliament and vigorously attacked public persons and public policies.

This freedom was fiercely resented and denied them by Parliament, whose *privilege* it was *to debate secretly*.

This new assault by Parliament on the freedom of the Press lasted for many years. It was bitterly opposed. The public sided with the Press against Parliament and King George III. The famous Burke and the infamous Wilkes led the opposition. At last, in 1772, the Press triumphed. Although it still remained a breach of Parliamentary

privilege to publish the debates of Parliament, no further attempt was made to punish the offence. From that year till now the Press has enjoyed the liberty of publishing any report it considers fair and true. The liberty of the Press was won.

*Does "Law of Libel" restrict these Liberties?*— A word or two on LIBEL. *And this is important.* Although by the victories above described the twin liberties of personal free speech and writing and the freedom of the Press have been won for us, it has always been and is, nevertheless, open to any one to object that what we say or write, or what is printed is such *as to cause him or her public loss or damage.* And it is by the ancient custom and law of England allowable that any one suffering such an injury shall have the right to prosecute legally the offender. It would clearly be wrong to deny any citizen this legal right. All prosecutions and law-actions under this head are called LIBEL ACTIONS and make an appeal to the Law of Libel.

Now, the Law of Libel is extremely curious in that *it seems to deny these very liberties we rightly claim and prize as ours.* It does not really. What happens is this. If A. complains of *public* injury by the speech or writing or printed statement of B., a jury of twelve men, after having heard the case, decides whether A. has suffered such injury or not. If A. has, then he has the right of demanding a payment

as "damages" from B. But this successful action against B. *does not take away B.'s freedom of speech or writing.* B. immediately can repeat what he said or wrote or published—his liberty to do so is unimpaired,—*provided he is willing to risk another legal action for damages.*

*Note.*—The Law of Libel cannot restrict these privileges of citizenship, but it does, in the public interests of peace, *punish a wrongful use of them.* This distinction is important: it ought to be clearly understood.

*Legal Restrictions.*—The last point to note is that these liberties can only rightly be enjoyed and allowed in the normal times of peace. If the State is in grave peril, either by unrest at home or by being engaged in war with an enemy nation, the life of its citizens is so disturbed and its general welfare is so threatened, that naturally the Government must take any measures it thinks right *to secure the State's safety.* And, generally, it happens that these two liberties are restricted for a time by law, for they are liberties which can so easily be abused. Clearly, it is not in the best interests of the State to allow traitors within to talk, write and print what they like. As these miserable people are not known, all citizens must suffer alike the restrictions of their peace-time privileges. Stringent orders against unlawful speech are issued and a strong censorship of the Press is set up. In the grave times of national danger during the Napoleonic Wars

(1798–1815) and also during the Great War (1914–18) these stern restrictions of the liberties of citizenship took place. No good citizen grumbled at his loss. Such restrictions, he knew, were measures of national safety, which would be removed after the danger was passed. Parliament, as the guardian or trustee of our liberties, has always a perfect right to limit them if such exceptional circumstances as these demand it.

Justified as we are, therefore, in claiming these twin privileges as part of our inheritance as citizens, we must always be on our guard lest we abuse them. None of us lives for himself alone.

QUESTIONS.

1. On what grounds were these privileges denied in olden days?
*2. Discuss the advantages and disadvantages of a Free Press.
*3. Does the Law of Libel restrict these liberties?
4. Is Parliament justified in restricting these liberties at any time?
*5. Is an English citizen peculiar among the citizens of European nations as possessing these privileges?

## CHAPTER XXVII.

### FREE ASSEMBLY.

In its nature and scope of action this privilege very much resembles that of Free Speech. It is also equally important to the citizen. It would seem to be natural that men should "assemble and meet together" at any time and at any place and for any purpose they may wish. The mere fact that man is a social animal and lives with his fellows in a State of Society presupposes his right to "free assembly" if he desires it—*from his point of view.*

But the rulers of States take the opposite standpoint. These few, wise and strong men who are responsible for the government of their fellow-men, and who always *must think* firstly *about the welfare of all citizens together as one body, which is the State*—and who only think *secondly*, of the *single* citizen—from early times were wont to deny this right of Free Assembly to be a right of citizenship and to deprive their fellow-citizens of it.

It was then always regarded as a *rule* of good government that "free assembly" must not be allowed. The reasons for this are easy to grasp; *e.g.* if men were able to meet as they

wished there was no saying how the meeting would end. The mob orator can easily inflame a crowd with passion for fight—and bloodshed, riot, pillage, etc., might well result—that is to say, the general body of the public and the peace of the State might well be harmed seriously if this privilege were claimed and used commonly.

Take another instance. Very often in history do we read of plots and conspiracies against Kings and Governments and the existing order of the State. These plots were all hatched in secret *meetings*. Malcontents and traitors *assembled together* to plan and work public mischief. They exercised this privilege: the result was evil.

It would, therefore, seem reasonable in view of these and similar considerations that the rulers of any state should deny this right to belong to citizenship. And in days gone by any such "free assembly,"—except those permitted by law and old custom, such as religious services, market assemblies, or festival crowds to celebrate some religious or national event,—was quickly dispersed—if necessary by force.

To-day this privilege is enjoyed to the full as a common right of our citizenship. You can go to any meeting you like. Thousands are held up and down the land week by week. The purposes of these meetings do not matter. They may be political, religious, social or any other. You are free to go—if you can get in.

How and when was this privilege gained? The real struggle for it began in the eighteenth century and continued into the nineteenth. The vast growth of our population in these centuries made it all the more necessary from the Government's point of view to stop "free assembly"; but, naturally, the task of doing so successfully was then enormously increased. Moreover, interest in politics and industrial conditions of life became widespread among the middle and working-classes. They met and "assembled" and "combined" and insisted on their common right to do so despite all restrictions. The outcry against these restrictions grew steadily stronger. Tumults, riots, organized resistance to the Law and Government became common. At last in the first part of the nineteenth century the laws forbidding "free assembly" were abolished.

The best example of this struggle to give in this short account is that of the workers' first attempts to form Trade Unions to improve the conditions of their work and life. These rude organizations of Labour arose towards the end of the eighteenth century and were called Trade Societies. As "Combinations of Workmen" they were "illegal assemblies"—and condemned by a series of laws dating back to Edward III.'s day; but particularly were they made illegal by the "Combination Laws." Fierce efforts were made by the Government to suppress these "illegal assemblies." For

over fifty years this battle went on. It ended as mentioned above. In 1824 all the "Combination Laws" were repealed by Act of Parliament, and citizens were free "to combine." But this is only one of many similar struggles which went on for this form of civic privilege. For about a century now has it been really enjoyed in a full measure.

*The present "legal" position.*—Now, what is the *legal* position to-day? It is curious, so note it carefully. While there is no law to deprive us of this liberty, *there is also no law which formally grants it to us.* So in our usual English way it is taken for granted and we enjoy the liberty in the absence of any law either forbidding or giving it. We assume it as a customary right.

*Restriction in times of National peril.*—Lastly, however, we must note that the same reserve of authority lies with the Government in this matter as we saw existed in the privilege of "Free Speech." During the Great War, 1914–18, we were suddenly made aware of this power. By the Defence of the Realm Act (1914) certain powerful legal restraints were put upon our civic privilege of "Free Assembly"; *e.g.* Certain types of meetings were banned. To hold them was made a legal offence. This drastic action and loss of privilege, after a hundred years' enjoyment of it, startled many people into bitter complaint and protest. But the State was in grave peril.

As guardian of the State's welfare the Government *must always be allowed full power* to take what measures it thinks best in such a time for the State's safety. The same arguments which justified our temporary loss of the privilege of "Free Speech" in national crises apply to this case exactly. And no "good and true" citizen of our State will make any bones about the justice of these arguments—provided always that when the crises are over and the safety of the State is assured, his civic privilege of "Free Assembly" is fully restored.

QUESTIONS.

1. Discuss meaning of "Free Assembly" and the various forms it can take.
2. Why did the rulers of old deny citizens this right?
*3. Is it a privilege easily abused?
*4. Discuss the present "legal" position, and the "right" of the Government to restrain the use of this liberty.
*5. Discuss the difference between "Liberty" and "Licence."

# CHAPTER XXVIII.

## HEALTH AND EDUCATION.

THE civic privileges enjoyed in the matters of Health and Education are dealt with together here for the sake of convenience. If you have never thought about them before you will find that they are important and well deserve study.

*Health.*—Taking health first we must all agree that it is an immense advantage to be members of a State which geographically is situate in the "temperate zone," *i. e.* a region of the earth which is neither too hot nor too cold for human life to be comfortable. It is, as we know, the Britisher's habit to grumble at the weather he has "to put up with" at home—at the fogs, the rain, the fairly long winter season; but when all is said and done he will agree there is no place like it and that the late Spring, Summer and Autumn—the best part of a year—are, as a rule, thoroughly enjoyable. Indeed, our climate is a thoroughly healthy one. This is proven by no less wonderful facts than our sturdy and rapid growth as a people, and by our first position to-day in the world for industry, commerce and political power.

In the next place remember that it is nowadays considered to be the duty of the State to do everything it can to make for and improve the health of its people. This duty has been accepted fully during the last thirty years, and to-day there is a complaint abroad that the State is doing rather too much in this respect. Take for example the sanitary arrangements generally of our towns and cities. The vast mass of unhealthy refuse that gathers in the course of one day only in any one of these great settlements of men would be enough to breed disease and pestilence if it were left to take care of itself. But, as you know, drainage and sewerage schemes in their thousands exist to carry it right away out of danger, and properly established Sanitary Authorities exist in every place to superintend this important need. The cost of this sanitation work is enormous—running into millions of pounds a year. The powers of these Sanitary Authorities are also great; *e.g.* the Sanitary Inspector can come round to any house and examine its sanitary arrangements. If they do not satisfy him the landlord can be legally compelled to make the necessary alterations, even to the extent of relaying the whole drainage scheme. This healthy state of things is very different from the unhealthy conditions that used to exist in towns, when it was usual to fling "slops" and any other refuse out of the windows into the streets, the only channel for its clearance

being a rough open trough running down the street either in the centre or at the side!

Again, take house-building. No one can to-day build a house of any sort until he has first submitted the plans of it to the local official Surveyor and had them approved by him. This official is responsible for seeing that the proposed building will answer all the legal requirements in the matter of light and air space, sanitary accommodation, etc. If the proposed building is facing a main road, the local Council often takes the opportunity of causing the building to be set back much or little so as to improve the thoroughfare, for all thoroughfares ought to be wide, airy and imposing.

Again, we hear a lot to-day of Town Planning and Garden Cities. The latter speak for themselves as fine efforts to secure all that is necessary for social life and its housing accommodation *under the healthiest conditions*. The former is more important really. It concerns the needs of towns and cities which are already overcrowded and expanding rapidly, and which have " suburbs " springing up all around them. These suburbs are not allowed to grow just as their builders please. They are strictly controlled and supervised by the Local Authorities —the one aim being that the new streets shall be laid out as *healthily* as possible; *e.g.* in the vast Housing Schemes set on foot by the Government and Local Authorities following the Great War, when over 600,000 new houses

were wanted, the sites were chosen with especial care and only so many houses were allowed to an acre.

*Transit.*—None will dispute that it is healthier to live in the country than the town, or that it is healthier to live in the "suburbs" of a big city than in the city itself. This is why most people who can afford it live either in the country or the outlying suburbs. Here, however, an important point comes in. Most men who choose to live in these places have to work for their living and their work lies in the town or city itself. They could not, therefore, afford to live so far away from their work unless there was (i) an excellent and quick *means of transit* either by tramway or by train between the town or city and their home; (ii) a rate of fare low enough for them to pay comfortably. Notice, then, that we are distinctly lucky in being able to use our magnificent systems of local tramway and train services for this purpose. Their existence makes possible our *privilege* of living at a reasonable cost in really healthy surroundings. Our forefathers did not enjoy our advantages in this matter.

*Holidays.*—Again, it is accepted by most people to-day that a "complete change"—a "real holiday"—at least once a year is necessary for reasons of health. To-day, we regard the man or family as "very poor" who cannot enjoy this change. Largely owing to improved

conditions of labour, rates of pay and hours of work, most workmen can save enough to take this annual holiday either by the sea or in the country. Considering all the circumstances that must be favourable before this can be done—the actual opportunity of holiday and its enjoyment must be reckoned a big privilege—one wholly justified, of course, on the grounds of health at least.

*Sport.*—From the same point of view, strictly speaking, we ought to be grateful for and value all the " short time " holidays, *e. g.* Saturday afternoons, etc. which allow us " change," rest, and especially time for sport. As a nation we love sport. Our sportsmanship is a large factor in keeping us in good health. Any time or opportunity for such robust exercise is a boon. That we, as a people, have so much is a matter to congratulate ourselves upon.

*Government Interference.*—Although the State-Government cannot compel us to go away for our holidays, it does in a vast number of cases to-day compel employers to grant us time for recreation or holidays. The health of the people is a vital concern to the Government. And, as before noticed, the Government does not now hesitate to interfere, if necessary, to promote the healthiness of the people and to extend to them " health privileges."

The three most notable examples of this wise interference of the Government in recent years are :

• (i) The National Insurance Act, 1911.

(ii) The Ministry of Health Act, 1919.

(iii) The Minimum Wage and The Eight Hour Day Acts, 1911, 1918.

(i) *National Insurance.*—This Act compelled the vast majority of the poor and working-class population to make provision for sickness. All men and women who earned wages less than a stated amount (£250 a year) had to insure against ill-health in the following way. Out of their wage they had to pay a small sum of "insurance money," their employers had to put to it a further amount and the State also added a small amount. In all the total sum per week came to ninepence for men and seven-pence for women. Every insured person had to be registered on the "panel" of a local doctor of his or her choice. If sickness came, the insured could then claim medical and surgical attention free as well as necessary medicine. A weekly sick benefit could also be claimed for a certain period.

(ii) *Ministry of Health.*—At the time of writing this book The Ministry of Health Bill is being discussed by Parliament. It is not yet passed and its provisions are not fully known. There is, however, no doubt of the intention of the Government to pass it into Law. As its name tells, its purpose is to create a Ministry (Department of Government) which shall be wholly responsible for the health of the State, and which shall have far-reaching

powers to carry out its important national duties.

(iii) *Hours and Wages.*—During recent years the industrial world has been much disturbed by urgent demands on the part of the workers of (i) A Minimum Wage, and (ii) An Eight-Hour Day. These great reforms are now real facts in a large part of the sphere of Industry. The Miners, the Railwaymen, the workers in the Textile Trades and Engineering Trades, etc., all possess them. And even as I write the Government are proposing to make a Minimum Wage and an Eight-Hour Day universal, *i.e.* to apply to all industry. In some cases, *e.g.* Messrs. Lever Bros.' Soap Industry, a six-hour day has been arranged. Clearly, such reforms are wholly beneficial to the life and health of the people interested and of the State generally.

By such Governmental interference the "privilege" of Health is assured as far as possible to the people, although, strangely enough, there are thousands and thousands of citizens who do not seem to value this "privilege" on the one hand, or on the other, to approve of governmental action to safeguard it for us.

## Education.

To possess healthy bodies is not enough. *Our minds must be healthy too.* Our fine Educational Systems give us a full opportunity of safeguarding and improving our mental

health. These systems will be described later (*see* Chapter XXXIV). Here it is enough to call attention to the splendid chances every child has to-day—and every growing boy and girl, for the matter of that—to become educated.

Education is free to all who cannot afford to pay for it. The State insists on this, and pays vast sums of money year by year to secure it—some thirty odd millions of pounds. One of the great Government Departments (The Board of Education) is responsible for this side of the nation's life. By means of the scholarship and " free grant " systems adopted and in practice all over the land, every bright boy and girl has at least an opportunity of climbing the educational ladder until they reach the University.

Education is highly necessary to-day for success both in the business world as well as in the various professions. *Knowledge is power.* Mental training is also the best of all trainings for the supreme task of self-control and character-building. The boy who neglects his opportunities in education is foolishly wasting his chances of future success: unless the mind is trained it will become sick and unhealthy, and, finally, will not be strong enough in grip or in vision to tackle the real problems of life that are certain to face every man. No time or energy spent in improving one's education is ever spent fruitlessly.

Looking at the advantages our system of

free State Education provides for all, and looking at the tremendous possibilities of future success all may thereby enjoy, none can say that we as a people do not possess an invaluable privilege in the vital matter of education.

### Questions.

1. Why should a State safeguard Health?
*2. Discuss any modern State attempt to do so.
3. Is education a privilege to be prized?
*4. " A healthy body means a healthy mind." Explain and discuss.
5. What are the true factors of health?

## CHAPTER XXIX.

### IMPERIAL RIGHTS.

In this final chapter of this section of "Civic Privileges" we may consider briefly the question of the "rights" we enjoy as citizens in the possession and control of our mighty Empire. The topic is often raised in discussion. Quite commonly such a remark is heard as this: "The Empire's all right, but what share in it have I got?" The word "share" is awkward. If the speaker means what money or property in it has he got, the answer is, of course, merely what he personally possesses at the moment and nothing more. It is interesting but untrue for him to imagine that so many square miles of Australia or a forest in Canada or any other tiny portion of the Empire is his "share" of its material wealth.

Looked at closely the word "share" means "right" or "privilege." And if he asks "What imperial privilege have I got?" we can give him a more satisfactory answer.

*Possession.*—In the first place the whole Empire is ours; that is to say it belongs to us as a nation. It was won by our forefathers and we have added to it. But it is ours in the

same sense as Great Britain is ours: *we own it collectively* as a nation. And all those vast parts of it which are not settled and so owned, the Imperial Government (in agreement with Colonial Governments) *holds in trust for the British race* to settle and to own privately when any one desires to do so and can afford it.

*The old and the new views of Empire.*—Again, it must be noticed that our view of imperial rights and responsibilities is very different to-day from that of two hundred years ago. Then we shared the ancient view that an Empire was a possession that was to be used wholly and solely for increasing the wealth of the possessor. This was the view of the ancient world and of such famous imperial peoples as Rome and, much later, Spain and France. They ransacked their empires to send the riches home: booty and plunder was really their chief object, although they might have settled and colonized their possessions the better to do so. In the eighteenth century we, too, thought and acted in this way; but our peculiar genius as a governing people soon caused us to see the folly of this and to change completely our attitude. Fruit is good: it is not much use however to destroy the trees to get it. Golden eggs are fine: but it is folly to kill the goose which lays them. So with colonies. It came home to us that the best way to gain most from our Empire was not to plunder it, *but to settle and cultivate it*, and by nourish-

ing its natural wealth from year to year *to increase its riches* for the benefit of all.

The result of our altered policy is that our Empire has gone from strength to strength and its material interests, wealth and powers are to-day colossal. The native populations have not been robbed and killed off : they have been or are being educated to a sense of self-government, and their riches have been increased by the introduction of European methods of Industry and Commerce. The broad and rich lands are not left to waste; they are settled and "opened up" by the hardy adventurers of our race. New peoples born of our stock have thus created new states and nations. Nurtured by the Mother Country into manhood, these young nations of Australia, New Zealand, Canada and South Africa are the glory and pride of Britain. An "old" land like India —the land of historic empires and rich civilization, the land of teeming population and inexhaustible wealth is to-day progressing fast to self-government and economic contentment in consequence of our peculiar and beneficent imperial policy, not lying, as well it might if the old policy of booty and plunder had been followed, a wreck of its former greatness, a land of misery, its treasures robbed, the spirit of its people broken.

As citizens of Britain and co-heirs to Britain's Empire we must accept this modern beneficent imperial policy. Its wisdom is fully proven.

*We must not think of what we can get out of the Empire but of what we can put into it.* We are all jointly responsible for its continued prosperity. And this responsibility is an imperial "privilege" of the first magnitude. We must look at the welfare of our Empire *as a whole,* just as we do in the smaller matter of our own State. *Selfishness is the last influence that ought to count* in the enjoyment of this supreme "privilege"—being responsible for the welfare of a fifth of the surface of the earth and the many, many millions who live in security under our flag.

*Emigration.*—The "privilege" described above may not seem to be valuable to you as it is nothing to "hold on to"—as people say. Let us therefore look at another—one we can grasp and use to the full in rightly furthering our own interests, if necessary. This is *emigration.* As British subjects we can emigrate to any part of our Empire we desire and settle there as colonists or as visitors for a period. We are naturally a colonizing race. The interest, adventure and pleasure of "opening up" new lands especially appeal to us. The "new" British "nations" already mentioned prove this, and our wonderful success in colonizing is the envy of the civilized world. This privilege of emigration is, therefore, valuable. It allows our colonizing instinct room to move and work; and in following its bent many a man has made his fortune.

*Commerce.*—Another privilege of immense

value we can all enjoy, if we choose to follow a commercial calling, is that of trading with our colonies. There are no restrictions on Imperial Trade. We do not compel our colonies to trade with us and no other nation. That would be following the old and discredited policy of Empire we spoke of. Yet, the many and rich new markets for commerce "opened up" in our Empire clearly are ours morally, and in the vast trade now carried on in all parts of our Empire it is only natural that British goods are more acceptable in our colonies than foreign, and that colonial goods are more acceptable than foreign to us—provided always fair competitive rates are maintained.

It is, as you may know, proposed to draw the commercial bonds of the Empire tighter by a system of "preferential tariffs" for colonial produce. If this ever comes about[1] this trading "privilege" will become more valuable than ever. As it is, by our vast colonial trade, we have largely gained the supremacy we hold to-day in the industry and commerce of the world. In the great commercial struggle which is now taking place among the leading nations of the world—all trying to recapture the world-trade they lost during the European War, it is clearly important that this imperial privilege of Trade should be preserved and used as fully as good-will on our side and on our colonist's side also will allow.

[1] It was introduced by the Budget, 1919.

*Legal.*—The last privilege of a truly imperial character which we all possess is really important. It is a legal privilege. If I choose to reside in any part of our Empire overseas and I become involved in a civil law-suit, and judgment is given against me, I can appeal from the Appeal Court of Law in the particular colony to the Supreme Appeal Court in the Motherland. This Court is the Privy Council (*see* Chapter VI); and its judgment is final. This is a grand right, and is frequently claimed by citizens of the British Empire. It reminds us of the privilege every free Roman citizen enjoyed of appealing to Cæsar himself. St. Paul, you remember, appealed to Cæsar when he was arrested in Jerusalem; and Lysias, the chief Roman captain, was compelled to send him to Rome for trial.

Our Empire is greater and nobler in many respects than even the wonderful old Empire of Rome. And in our right of civil appeal to a Supreme Court at home we have preserved the splendid right of legal equality throughout our empire. Notice, however, the legal dispute must be " civil " in character. The right of appeal in " criminal " cases is not possessed.

In the Roman Empire " citizenship " was considered a high privilege, and those who were not *born free* had to pay very heavy sums of money to purchase some—if not all—of the rights it brought to its possessor. We, as a race, are far better off. We are all *born free.*

As such we become *by right of birth* citizens of the British Empire, able to enjoy to the full the rich opportunities it gives for a successful life, and the big and important civic and imperial privileges and liberties which are ours. When we think of our citizenship, Pride and Gratitude ought to command us. We should be *proud* of it and *grateful* for it.

QUESTIONS.

1. What is an Imperial Privilege?
2. Discuss the Old and the New views of Empire.
3. Which imperial privilege do you consider most valuable? Why?

*4. "The Empire is a Trust." Discuss.

*5. Discuss the arguments *pro et con.* of Colonial Preference.

*6. The Romans gave *peace* to the world. They called it "Pax Romana." Can we claim to have established a "Pax Britannica"?

*7. The question of Imperial Governance has been much debated in recent years. What are your views?

8. The meaning of "Empire Day."
9. How far ought our Colonies to aid in defending the Empire?

# PART IV.

## CITIZENSHIP AND ITS DUTIES.

## CHAPTER XXX.

### A CITIZEN AND HIS DUTIES.

HAVING learnt what are the outstanding *privileges and rights* of a British citizen it is now time to go further and learn what are his chief *duties*.

You will remember that before we began the subject of civic *privileges* we agreed that a man (citizen) could not possibly live *alone*—that the law of life demands he shall live in association with his fellow-men, and that the modern form of this human association is the vast ordered and *governed* organization known as the State. We also went further than this and discovered that it is impossible for men to live together in this way without having *many relationships* to one another, and that these social, political, legal and economic relationships resulted in the gradual growth of citizen-rights or privileges.

But these rights or privileges are, after all, only *one* side of these many relationships

existing between the fellow-members of a State. They have their *other* side, and it is equally important to know and understand it.

This other side presents to us the DUTIES of a citizen as opposed to his RIGHTS.

If we consider the matter fairly we cannot expect to receive all and give nothing in return. What we, as citizens, receive from our association in the State we have called Rights and Privileges, and we have seen what they are, and, to some extent, estimated their value. What we have to give in return are called civic *Duties*; what these Duties are and how necessary they are for the welfare of both ourselves and the State we shall see in the following chapters.

*Duty.*—Duty is a difficult word. Closely examined it can mean either a great deal or a very little. In the *political and civic sense* it means a great deal. This allows it to be a favourite topic of argument among well-informed and intelligent men. For more than two thousand years the intellectual and political leaders of the civilized world have argued and debated the many problems which spring from the necessity of civic duty. The necessity of a citizen's serving his State and carrying out his duty as a citizen is, of course, always granted. Only the *forms* it must take are discussed and debated.

For us, however, it will not be difficult to agree that in return for civic privileges we

ought to perform our civic duties. Duty is, after all, commonly understood by all intelligent people. We are trained into a sense of it from our childhood and are accustomed to its demands. At home and at school we learn at least the duty of obedience. At work we readily accept the idea and the fact that it is our duty to do our work as loyally and as well as we can in return for our wages. Other examples of duty outside our own experience are also commonly known to us. That it is the duty of a husband to provide for his wife and children is universally accepted. That members of any social club must keep its rules we take as granted, and so on.

*Civic Duty.*—When, therefore, we come to examine the position of the citizen in the State we cannot be surprised that his membership makes certain large demands upon him. The State is, in a sense, a vast club. It is the duty of all its members to obey its rules. *What these rules are all ought to know.* Unfortunately, so many people do not know, and that is why they possibly get into trouble with the State and its law and its government. For, unlike most other Clubs, the State has power to enforce, if necessary, its members to observe its rules.

*The Coercive Power of the State.*—That the State must have this power of compelling its citizens to do their civic duties is clearly a necessity. Unless these duties are fully re-

spected and loyally carried out the strength of the State would be sadly weakened. As a huge association of men, it would be much disturbed, and possibly be broken up. Its true function of safeguarding the welfare of *all* would be impossible to fulfil. If the State is to be successful the faithfulness of its citizens is essential.

*Patriotism.*—That this loyalty and faithfulness to the State is willingly given by the immense majority of citizens is a pleasing thought. After all, in return for the big privileges which they possess and enjoy as members of the State—privileges which not only make life possible, but allow it to be free, healthy and happy—it is surely not too much to expect them to do their *duties* to the State. Patriotism is a high political virtue and is the full carrying out of civic duties.

QUESTIONS.

1. The relationship of Civic rights and duties.
2. Why must the State insist upon the fulfilment of these duties?
*3. Discuss the nature of civic duty.
*4. "Patriotism is citizenship writ large." Discuss.
*5. Is complete harmony possible between the *public* morality of Citizenship and the *private* morality of individual life?

# CHAPTER XXXI.

## THE WAY TO VOTE.

### I. The Register.

Since 1832 an official *Register* of Voters has been kept. Every Voter must be on the Register. If he or she is not, then he or she is not officially recognized as possessing the Vote—and is not enfranchised. Every citizen must therefore regard it as a *duty* to see that his or her name is on the Roll. Remember, a citizen is *not* enrolled unless he or she *claims* to be put on. That is, the responsibility of being registered lies with the citizen—not the Government.

This Register is revised every year. The need of this is self-evident. Citizens die or remove their household: new citizens appear. This revision is made by *Revising Barristers*—legally-trained officials, appointed by Judges. They hear all claims and objections to the Voter's demand for recognition. Appeal can be made against their decision to the High Court of Justice, and thence to the Court of Appeal. Complete and new Lists of Voters are thus prepared every year in every Parliamentary County and Borough.

•*Note.*—These Lists are concerned with the Parliamentary Franchise only. The Local Government Franchise is quite distinct. This has its own Register.

*The Returning Officer.*—In every County or Borough there is such an official. He is responsible for the control and direction of Elections and the Franchise in every constituency.

## II. How to claim the Vote (Parliamentary)

*Qualifications.*—(*a*) Be able to fulfil the qualifications :

*Men :* (i) Over twenty-one years old.
(ii) To be six months resident.
(iii) To pay at least £10 a year *rent*.

*Women :* (i) Over thirty years old.
(ii) Same as men (ii).
(iii) Same as men (iii).

(*b*) Make application to the *Returning Officer* and claim to be registered. He ought to take up your case. If on examination your claim is proved correct, you are duly enrolled.

*Note.*—Much difficulty is often met with. *The claimant must press his claim.*

Once registered the Voter can vote so long as qualifications (ii) and (iii) are fulfilled. If he moves he is automatically disenfranchised until he can again satisfy the "*residence qualification.*"

## III. How to Vote.

*Voting.*—The citizen votes at Elections only, or upon a Referendum (*see* Chapter III).

Before these appointed times every voter receives a voter's card.

*The Vote.*—At the Polling Station the Voter is required to prove his right to vote. He does this by producing his voter's card. An official checks it by referring to the Register. This over, the Voter may vote. He is given a printed slip of which the following is an example:

| | |
|---|---|
| SMITH. | |
| WELLS. | |

This he takes to one of the desk recesses fitted up around the room. There, *quite alone*, he considers the names on it. They represent the men fighting the Election. He votes for his man by marking an X in the space to the right, the other space must be left blank:

| | |
|---|---|
| SMITH. | |
| WELLS. | X |

This act of marking the X is the vote.

Thus completed the slip is dropped through a slot into an officially locked receptacle. The voter has done his duty and ought then to depart.

• *Note.*—Any mark on the paper other than the X will cause the vote to be "spoilt," or "false." It is NOT counted. It is no vote.

*The Vote is Secret.*—This privilege was won in 1872 (the Ballot Act).

*Note.*—The importance of this.

## IV. How to Vote Rightly.

*Four Important Considerations.*—(1) By realizing the importance of your vote.

(2) By examining beforehand the "legislative programmes" which the Candidates assert they will support, if elected. *Choose the better programme.* Never vote for a man because you like him or because he looks the better or speaks the better. His "programme" is what matters.

(3) Don't be led astray by "Partyism." Beware of "catchwords," "Electioneering phrases" and "War cries." They are cheap and generally worthless. Try to understand how the *vital interests* of the State are best likely to be served by your vote. Use your *judgment.* Vote only and always for the man who will serve these needs of the State best, as you understand them.

(4) Think of yourself *last.* The Nation must come first. To vote rightly is an unselfish act. It is the supreme act of citizenship.

*Note.*—The prevalence and widespread evil of ignorance on this matter, and of voting *wrongly.*

## V. Local Government Franchise.

(*a*) *Qualifications:* (i) To be a Ratepayer.
(ii) Residence.
(iii) Age.

(*b*) *Register.*—The Clerk to the County or Borough Council is responsible for the Ratepayer's Register. All claims must be made through him.

(*c*) The Local Government Elections are more frequent (*see* Chapter XIV). The method of voting the same.

(*d*) The importance of Local Elections. In these the citizen has more frequent chances of playing his part in controlling policy and government. His local knowledge and interests should help to make his judgment and choice of the candidate sound. The local vote ought at least to be an intelligent and efficient vote.

### Questions.

1. What word is most important in "The Representation of the People Act, 1917"?
2. Why is the vote the supreme test of Citizenship?
3. Which is the more valuable—the Parliamentary or the Local Franchise?

*4. The Referendum.
*5. The Secret Ballot.

## CHAPTER XXXII.

### RESPECT FOR LAW.

MANY people think the Law is a tyrant—a hard, harsh system which is imposed by a strong government upon them and which they unwillingly must obey. To such people—those who desire either to break the law or that there should not be any law—the Law is, of course, hard and harsh. Indeed, it is for such people that the Law has primarily been made and exists. It reminds them of their civic duties and compels them, if necessary, to perform them.

They are wrong, however, in thinking that the Law is imposed by some tyrant force or government upon them. It is nothing of the sort. It happens to be a fact that to-day Parliament makes the law—but that is really an accident caused by the immense growth of the modern State. Originally, Law was nothing more than a rule or set of rules made by all the free men of the State assembled together *to protect themselves and their common life* from enemies and bad living men within the State. They passed them in common council. And Law is still of this nature.

Now, it is impossible for the 20,000,000 of citizens of our own State to assemble and create new rules to-day; so the work is done by Parliament, *for them and with their consent.* What is more, the work of Parliament can always be undone by the 20,000,000 of voters at the next General Election when they are called upon to approve or disapprove of the late Parliament's actions, *i. e.* the laws made by Parliament on their behalf.

*The Force behind Law.*—It must, therefore, be clearly understood that the Law is really a mass of rules and customs which all the worthy members of the State agree upon as necessary to safeguard their common welfare and liberties from those who would attack or deny them; and that the Government exists by the same common assent to enforce these customs and rules, if it be necessary.

*Freedom safeguarded by Law.*—Freedom and Liberty are two very curious words. They mean a lot: but not until they are thought about a great deal, does their true meaning become plain. As a matter of fact what we mean when we talk of being free and enjoying liberties as citizens is only possible *by the existence of Law firmly administered.* Take away Law, sweep away social and civic customs, destroy government, and allow every one to be as naturally "free" as the wind—and what would be the result? History can tell us. It would be that every man's hand would be

against his neighbour. Brotherhood and goodwill would be absent. The strong would prey upon the weak. The strongest of all would win—and he would be a real tyrant! "Freedom" and "Liberty" such as we know and enjoy would cease to exist. All sensible and clear-thinking men understand these things; that is why they prefer strong government and a sound system of law within their State.

*The Need of Unselfishness.*—It cannot be too often made clear that the citizen is after all only one among millions and that he must try to be *unselfish* in his opinions and actions. The opinions and actions, the rights and wishes of his neighbours must be respected as far as is possible. There are bound to be differences of opinion: but on the larger questions of life and its social and civic control there must be some real form of agreement by the *majority* of citizens at least—otherwise political and social goodwill and successful State life are impossible. And such agreement can only be got by all those concerned willingly making some small sacrifices, and above all in trying to be unselfish. After all whom do we really admire: the unselfish or the selfish? Character is everything.

*The Respect of Law.*—It is, therefore, clearly of the utmost concern to us all that there should be a deep respect for Law. It should be accepted as a civic duty to pay this respect and observance. Easily, too, can it be under-

stood that the best form of this respect is found in the quiet and orderly life of the average man. Such a life is an example to others, and a real support to the Law. Just as we obey the rules of a club so ought we to obey the rules of the greatest of all clubs, the State. The strongest, most prosperous and best respected of all States is that which can boast of citizens who "know the Law and keep it."

### Questions.

1. What is the purpose of Law?
2. Describe your vision of a State without Law.
*3. "Law is Force." Explain and discuss.
*4. How far does the immensity of the volume of Law prevent the fulfilment of this duty?
5. The social usefulness of the legal profession.

# CHAPTER XXXIII.

## RATES AND TAXES.

WHEN we dealt with Taxation in Chapter XI we likened the State to a big business which required big funds of money to pay its way and run on successfully. It is, indeed, true that vast sums are required every year to meet the expenditure of the State. And all this money —amounting to hundreds of millions of pounds —must be contributed by the citizens and members of the State. Nor is this wrong or unreasonable when we remember that the State exists only for its citizens and members: for them only and their security and welfare does the immense and costly Machine of Government work day and night, year in and year out; they, therefore, ought to pay for it all; and they do.

Humbler examples of the same idea and fact can be seen in the small organization of our home or any club to which we belong. Our home exists to give us protection and guard our welfare. Clothes and food are not free— we have to buy them: and our home costs a big amount every year to be run successfully. While we are young the whole expense falls

on our father; when we are grown up we willingly and *dutifully* take our part in paying a fair share towards its expenses. It is so reasonable a practice that naturally we don't grumble at it.

Again, in any club. We recognize it costs much cash to maintain it, and we willingly pay our subscription to enjoy whatever rights the Club can give us. We should not expect to be a "free" member. Any one who claimed this right and took all and gave nothing, we should justly look upon as a cad. It is the same with the State. Look upon yourselves as members of it as a vast club which allows you certain big privileges; then you will pay your subscriptions willingly as year after year passes. In truth, as citizens this is our duty.

*Taxes and Rates.*—We have seen that the money raised by the State falls into two divisions of payments. One division is levied by the Central Government, and is called TAXES. The other is raised by the Local Government, and is called RATES.

All the taxes are spent by the Central Government in running the many Government Departments which we saw made up the Machine of Central Government. The Rates are spent locally and allow the Machine of Local Government to go on working smoothly for our benefit.

Many people to-day, disregarding the duty

of their citizenship, grumble at paying Rates and Taxes. They complain of their amount. Sometimes they refuse to pay at all. If only these people would think of what would happen *if no one paid*—they would do their duty more cheerfully. If no one paid the State organization would simply break up just like a business which was bankrupt or a club with no funds or a home without money to pay its way. There would be no help for it. The strong government about which we have learnt a little, and the large system of administration dependent upon it, would simply stop and fall to pieces. Instead of being protected and having our welfare safeguarded, we should be defenceless and struggle to live as best we could. Chaos and lawlessness would quickly take the place of order and law. No one in his senses—let alone one who ranked himself among the citizens of his State—could possibly desire such a condition of things to come about.

*The Mistake of "Free" State Provisions.*—It is well to be on our guard nowadays against the misuse of the word "free." Frequently we hear people saying this or that should be "free." They speak of free education, free libraries, parks, museums, school dinners, etc.—and go on to claim that other things such as working-class houses, tramways, land, etc.—should be "free" too. But these people forget one very important truth. This is that *nothing is free in the State and nothing can ever*

*be free.* Everything in the State is and must be paid for by its citizens at one time or another. The Rates and Taxes pay for everything—even those things now looked upon as "free." The citizens can only get what they are willing to pay for.

*The Control of Rates and Taxes.*—And here it is important to note that although we must pay Rates and Taxes we yet have the power in our own hands to control their amount and expenditure. Parliament votes the Taxes: The Local Councils impose the Rates. Both Parliament and the Local Councils are elective assemblies. We elect them—they represent us. So, if we think they are too severe in taxation and too wasteful in spending public money, we can at the elections let our representatives see our dissatisfaction very clearly. On the other hand, remember, that both Parliament and Local Government bodies know they are elective and realize they are guardians of the public and State welfare; it is, therefore, unlikely that they would be either unwise or deliberately wasteful in their financial policies. In this very important matter it is necessary to trust our elected representatives to do their best for us.

*Economy.*—Lastly, another sound reason can be advanced for the willing performance of this civic duty. This is—that owing to all the Taxes being collected and spent by one central authority it is possible for *Economy*

on large lines to be made. Think what it would be like to have the Army or the Navy or the Civil Service collecting and spending their own particular taxes. I fear, in the bulk, we should all have to pay much more. The mere cost of collection would also be much greater than now. Again, the same means of economy prevail in the collection and expenditure of the Rates for any one district by the *one* authority in that district—the Local Council.

Acknowledged as a duty of citizenship the payment of Rates and Taxes can be cheerfully made, for by such payment only can the State do its work thoroughly. And unless the State does its work thoroughly our welfare cannot be strongly safeguarded.

### Questions.

1. Why ought we to pay our public dues promptly?
2. How can we "control" these dues?
*3. The economy made possible by the central organization, the Treasury.
*4. "Economy is never possible in public undertakings." Discuss.

## CHAPTER XXXIV.

### HEALTH AND EDUCATION.

In these two matters of Health and Education we saw (partly) in Chapter XVI and (wholly) in Chapter XXVIII that the State carried out its duty fully towards us. It remains to see what are our duties in return to the State.

### Health.

Taking *Health* first, let us agree at once that we ought not to grumble at the various measures of Central and Local Government control designed and taken to improve public Health. If we cannot approve of them we ought cheerfully to obey them. In the wisdom of our rulers they have been found necessary, and that must be enough.

The misfortune is that although we pride ourselves upon our health and talk about it a good deal, we do not as a people value it as highly as it ought to be valued, or take as much pains to preserve and to guarantee it as we should. Personal cleanliness is not really a common feature or habit of the British people. It is the custom in Japan for every

one to have a morning bath; and many Eastern peoples are so exceedingly clean in their personal habits that they would easily put the average British man to shame. Whether it be that the pace of civilized and industrial life is too fast for us, or that we are too lazy or badly trained, it is a fact that we are apt to neglect our personal cleanliness and to be untidy in our social habits. Many people, although they live in houses equipped with bathrooms, have a bath only once a week or even at longer intervals.

It is often said that "cleanliness is next to godliness." This may be true. Certainly, however, it is true that personal cleanliness is essential for Healthiness. More than this, it encourages self-respect, and braces up character. It is a live tonic to one and all. It is also a practically *free* tonic—merely a matter of soap and water.

In a famous medical report of the Board of Education a few years since it was stated that out of five millions of children attending elementary schools more than one million were in some degree handicapped by ill-health and disease, and over a quarter of a million were so bad *that they could not possibly benefit by any education*. This is a strong illustration of the results of generations of men and women who have neglected their own health. A good deal of the fault of this state of things may, in years gone by, have lain also with the

Government. To-day, however, the Government is doing its duty vigorously: slums are being swept away and the housing of the people is being ordered on scientific and sanitary lines. The Government may do all it can, *yet unless the people assist by cultivating to the full clean and healthy habits*, the results may still be deplorable—dirty homes may still breed disease and harbour ill-health; plague and pestilence may still be possible; a quarter of a million school-children may still be "waste products!" From this point of view it is clear that the carrying out of the simple rules of health and cleanliness is an *exceedingly important social duty*, and no worthy citizen will refuse to do it, for his own sake as well as the national well-being. Light and air, soap and water! Such is the simple recipe.

Avoiding the dull and unnecessary task of stating in detail all the many little common-sense rules by which health can be maintained, it is perhaps useful to point out that the best way boys and girls of school age can keep themselves fit is to go in for *sport*, and plenty of it. Lose no opportunity of it and its club life and comradeship. It is splendid in its body-building powers, character-development and clean-mindedness. A "sportsman" is generally a man of honour.

During the Great War our physical standard was put to a grave test. Responsible statesmen and medical experts were genuinely

alarmed at the small number of A1 men possible for the army. They even went so far as to say that we were a C3 nation! This judgment was a staggering blow to our national pride; it was also a clarion call to the Government to do something to improve this low standard and to the people to respond loyally. On its side the Government has set up the Ministry of Health to supervise the Health of the nation. That we must, *on our side*, take full advantage of any of the privileges this new Ministry offers, as well as to use to the full all the other privileges of Health discussed in Chapter XXVIII, goes without saying. When all is said and done, our health is a matter of real concern to us; it ought not to be necessary for any Authority to stir us up to take care of it. And in this matter, as in most others, we can best serve the national welfare by doing our duty honestly to ourselves.

### Education.

We have agreed before (Chapter XXVIII) that Education is to-day an essential to all citizens; and that just as we must attend strictly to the care of our bodily health, so also must we try to maintain the healthiness of our minds. To train our mental life healthily is, however, a more difficult matter than paying proper attention to our bodies. It is not a simple matter of light and air, soap and water.

Indeed, there is no simple rule. Education needs very careful handling to be successful. It requires a system and organization of its own. Schools, books, materials of all kinds and specially trained teachers are absolutely necessary; and these have all to be provided. Thus, help from the State is necessary if national education is to be a live fact in the nation's life.

None can say that the State has failed in the performance of this duty to its citizens and their children. During the last forty to fifty years there has been created a magnificent and all-embracing system of national education. Thousands of finely-equipped schools exist—enough to supply the educational needs of the millions of children and young people. Everything necessary is freely supplied, and the teaching profession is well trained and skilful in its art. More than thirty millions a year are spent on this Educational Service. It is a national expenditure; and it is justified on the ground that we, as a nation, must be an *educated* people, if we are in future to hold our own with the rest of the civilized world. Knowledge is power.

This splendid Educational Service is provided *freely* for our people and their children who cannot bear the expense of "private" education. No fees are chargeable. And the State rightly expects that all children and those young persons who are due to attend shall

attend and make the best use of the opportunities and training offered them. In saying that this education is "free" we mean that the millions who are expected to avail themselves of it need pay nothing more than what they have to pay towards the Education Rate. They pay nothing privately. In view of what we said on the point that nothing is really "free" in the State, it must here be explained that this "free" education is paid for by all citizens in their payment of Rates and Taxes. Yet the amount paid as his due share of the Education Rate by a poor man would not be near enough to pay the costs of his children's education, if he were to meet this expense privately.

In the fact of regular attendance lies our chief duty. That we must do our best *in school* goes without saying. There is no need to remind the wise of this; but, unfortunately, so many regard the school as a kind of prison, where life is hard, the training severe, and from which escape is desired at the earliest moment. Such a view is nonsense. It must be remembered that to-day education is necessary for success, and at school the solid basis of such education is laid—or ought to be. On the other hand, it must be pointed out that it is equally wrong to amass knowledge for its own sake or to satisfy a clever man's vanity. True education is not confined to mere book learning. The character, the aims and ambi-

tions of a man, his outlook on life, etc., are all trained and encouraged by his "education."

Our duties in this important matter are therefore simple and clear. They must be performed by both parents and their children. Parents ought to see that their sons and daughters take full advantage of the splendid chances the State Educational System offers. They must support willingly the State in its desire that our "people of the future" shall be well educated. And if necessary—it often is—the influence of home life and the authority of parents should be freely used to aid the influence of school life and the teachers' authority. Home work, *e.g.*, ought to be supervised at home.

The duties of children and young persons are equally simple. They must make up their minds to attend regularly and to do as well as possible. They have everything to gain and nothing to lose. Their success is essential for themselves, for they must one day be face to face with the world and "masters of their own fate." Certain habits must be cultivated—obedience, perseverance and a sense of discipline. If at times—especially to older children and young persons—school routine becomes irksome, they must remember that all training, no matter of what type, is apt to get wearisome, *but it is just at such times that their own power and character-force of self-control* can be brought into play and strengthened greatly.

It is a common saying among adults that their schooldays were "the happiest days of their life." This is generally true and their wise judgment on experience, although, perhaps, they did not think themselves happy when actually at school.

*Day Continuation Schools.*—Now that Evening Continuation Schools are abolished for all young persons under seventeen, and Day Continuation Schools are part of our educational system, it is very necessary to impress upon the boys and girls of fourteen to seventeen years of age who attend them what their simple educational duties are. To go to work brings a new sense of freedom after one's childhood has been wholly passed in "schooling." The boy and the girl get a new view of things at this stage: life seems suddenly to open out to receive them. Their outlook enlarges swiftly, and the discipline of the old schooldays seems irksome in comparison with their new-found liberty. To continue at school either on the half-time system or in the Day Continuation Schools must seem a hard fate, *unless it is recognized*—as it must be—that the elementary education received up to fourteen years of age *is not enough by itself* to lay a proper basis for an educated life. Only the rudiments, the first rules, are learnt up to this age. It is not until the fourteenth or fifteenth year is reached *that education in its real sense begins.* During the years from fourteen to

nineteen the real value of Knowledge begins to dawn upon the youthful mind: the true meaning of education begins to make its appeal. This is a scientific fact. This is also the reason why educational experts counselled the State to make Education compulsory until the eighteenth year at least is reached. This is the reason which lies beneath the Day Continuation School Scheme. This is the reason, too, which makes the normal "leaving age" in Secondary Schools eighteen or nineteen.

To the wise and ambitious youth these reasons will make their special appeal. He will be grateful for the splendid opportunity this extension of the "age limit" under the new educational scheme gives him of winning more of the real fruits of education.

To such a youth there is, of course, every inducement to go on and climb the educational ladder. Beginning at the bottom in the Elementary School, he can work his way forward and claim by his industry as well as his talent scholarships which will take him along the educational path his ambitions dictate: (i) He can enter the Secondary School, from which he can proceed to the University; (ii) He can go on to the Trade School, from which he can win his way to the Technical College.

Every year sees our Education System improved. Every year it is made more *democratic*. The talent of youth can now find full opportunity for its ambitions. And, so long as the

simple educational duties (as outlined above) are performed by both parents and children, there can be little doubt that our national standard of education will be high and satisfactory in the future.

### Questions.

1. Why is health a State necessity?
2. How is the Government endeavouring to improve it?
3. Discuss the ordinary rules of Health.
*4. " Knowledge is Power." Discuss.
*5. " The system of Free Education has its disadvantages." Discuss.
6. Discuss the age of eighteen as a right age to leave school.
*7. Should Religious Instruction be given in schools?
8. Find out what the local Education Rate is—how it has annually varied—who collects it.
9. Sketch an argument between a " poor " man and a " rich " man on the topic of " Free " Education.
*10. " The foundation of every State is the education of its youth " (Diogenes). Discuss.
11. What is " Higher Education "?
12. Discuss (i) " Free " Secondary Education; (ii) " Free " University Education.
13. Choose any occupation or profession and state the educational course you must follow to gain admission to it.

# CHAPTER XXXV.

## MILITARY DUTY.

"A NATION in arms!" Such is the stirring phrase a famous historian used to describe the fathers of the British race. It finely expresses what was then the stern truth—that every fit man was a warrior by training from his boyhood and always ready to march against the foe. Universal military service was the ancient custom: only the aged, the women and the sick stayed at home to carry on the cultivation of the crops when danger threatened their State. Indeed, exercise in arms was then regarded as the most honourable mode of life. The love of their home and of their State was deeply implanted in our rough ancestors, and, if the need of defending them arose, willingly did one and all flock to the banners of their chieftains. They were true patriots and true "citizens" in their full recognition and fulfilment of this duty.

In the course of centuries our land became settled and our race united. Population grew and government by kingship was fairly carried on. Customs developed and changes in social life occurred. But this exacting custom of

universal military service remained unchanged and was loyally obeyed. The "fyrd" was the name of the army of Anglo-Saxon times: it was still the "nation in arms," although, owing to the vast increase in the population, the "quota" system was adopted to raise actual fighting forces. This system called for so many men from each district. The men of the district drew lots for the honour.

After the Norman Conquest and the re-organization of society and the State on feudal lines changes in the old custom of common military service were unavoidable. The King now had his "feudal levy" of mail-clad knights and pikemen, and later, archers; and this was a sufficient "national" army. Attempts were made by some mediæval kings to revive the old "fyrd" of Anglo-Saxon times. But with the increase of the people and the growth of social and industrial life and interests this was not really successful. Moreover, in later times the Feudal Levy itself began to decay. Its place was largely taken by the *Mercenary Army*, *i.e.* an army of hired soldiers. It proved cheaper to hire such an army in those late mediæval days to fight the King's battles than that the King should raise and support one of his own. These mercenary troops were fighting men of all nationalities, largely made up of ruffians and scallywags, but fine fighters all and organized and commanded by their own captains. Their objects were victory and

plunder. This use of mercenary forces became common all over Europe, and it lasted for centuries (1100–1800).

*The Rise of Modern "Professional" Armies.*—What we know as our modern national army was, therefore, very late in coming into being, and very small and poor in quality when it did. The chief reason for its poor quality is important. Owing to the use of mercenaries for so long we, as a nation, had lost our tradition and practice as a "nation in arms." Military service was practically dead, its customs forgotten. Our vast advance in social and industrial progress absorbed all our energies and passions. The ancient *duty* of defending the motherland with the sword was not forgotten but was passed unheeded, as it was a "duty" performed by a certain class of man who was paid for his job! Only on the sea and the shores of our sea-girt isle did the old fires of patriotism and patriotic service flame intensely.

When, in the eighteenth century, it was found necessary to recruit national forces both military and naval to defend our State, the *mercenary* idea still prevailed, and we find the beginnings of our small *professional* army and larger *professional* navy. The important point here is that our millions of citizens were by tradition and training now satisfied that *national defence was really no business of theirs*, except that they should pay certain taxes to

provide for sufficient professional forces who would, if necessary, do their *duty* for them. This idea was uppermost throughout the eighteenth and nineteenth centuries.

*The "Awakening" of the Twentieth Century.*—Not until this present century was there the great and natural reawakening of the ancient passion and true sense of duty in our race that made all our male citizens feel it was a matter of personal *honour* to take up arms to defend the State. We had slept overlong. The shock of awaking was tremendous. On all sides we saw the nations of Europe organized for war. They, acting on the principle that all their men should be trained in arms, had adopted the Conscript system. We saw their armies numbering millions: they were modern "nations in arms." Was our small professional army sufficient in face of this? We argued about the question. Great leaders, like Lord Roberts, arose and urged our Government to adopt Conscription. Others, seeing our first line of defence was the Navy, pleaded that our small professional army was enough. You all know the result. When, in 1914, the war clouds burst over us our military preparations were proven tragically insufficient. But the *awakening* of our racial sense of duty was overwhelming. The rush of Volunteers to Kitchener's Armies was like a flood. Our *voluntary* effort was the wonder and envy of Europe. It proved the traditions of duty and

patriotic spirit of our race. Voluntary enlistment, however, proved insufficient, and later, in 1916, Conscription was introduced and Conscript Armies raised. The duty of military service was shared equally by all who were fit to bear it. In 1918 we had raised armies totalling over seven millions—an incontestable proof that our *awakening* was thorough and decisive. The sense that it was the *duty* of every fit male citizen to take up and practice arms in the defence of the motherland had again completely gripped us. We were once more, after eight hundred years, a " Nation in Arms."

*Military Service as the Duty of a Citizen.*—Military Service must, therefore, be considered as a duty attached to Citizenship. It ought to be a matter more of honour than of law. Patriotism is enough to prompt all fit citizens to undertake it if the State is imperilled.

The chief argument in support of this duty may be stated thus: Shall a citizen be allowed to enjoy all the rights and privileges of citizenship and take all the social benefits his membership of a great and progressive State freely gives him unless he is prepared in his turn to take up arms to defend with his life, if need be, the State? After all, State membership is a mutual bargain.

On the other hand, it must be remembered that very many people hold the opposite view on this far-reaching question. They claim that

as human life is sacred and military service assumes the right to kill, it ought to be left to a man's own conscience to decide whether he shall take up arms or not. They believe that the *Voluntary Principle* of raising armies is more preferable, in that it is fairer than the *Conscriptive System*. And, as you know, Great Britain always depended on the Voluntary System until her necessity drove her to abandon it in 1916.

The controversy on this important question of Military State Service is by no means over. Indeed, it is gradually reappearing as a political issue of the first magnitude. Every citizen, therefore, ought to treat and to consider the matter with the utmost seriousness, and arrive at a definite judgment (well substantiated by good reasons) as to which system—Voluntary or Conscriptive—he would have the State adopt.

### QUESTIONS.

1. Why did the ancient custom of Universal Military Service decay?
2. Discuss the good and the evil of Conscription.
3. How does citizenship involve Military Duty?
*4. Compare the value of a "mercenary" and a "national" army.
*5. How will the disarmament proposals in the League of Nations affect this question?
6. "To live in peace prepare for war." Discuss this maxim.
7. Look out the estimates and expenses of the Army and Navy in Whitaker's *Almanack*.

## CHAPTER XXXVI.

### THRIFT.

THRIFT is an excellent habit. Every citizen ought to cultivate it to the best of his ability. In saving as much as he or she can, or in putting away a little regularly week by week in the Bank or in any other form of reserve, the ordinary man and woman does the wisest possible thing not only for himself or herself but *for the State* as well.

*A Public Duty.*—The thrifty or money-saving peoples of the world have always been the greatest. The English have largely developed this habit: so have the French and the Germans. The result was that before 1914 these three were the most powerful *economically*, *i. e.* from the money point of view, in Europe. Had it not been for the money-saving capacity of our race we should never have been able to capitalize our industrial life on so vast a scale, our profits would not have been so huge, and our services in lending immense sums of money to " new " lands " opening up " would have been lost to the world.

Other well-known examples can be given. In 1871 victorious Germany thought she would

crush France financially—cripple her credit for a long term of years—by demanding the great sum of £200,000,000 from her as a War Indemnity. The Germans failed to understand the *thriftiness* of the ordinary French peasant and farmer. This excellent habit saved France. In an incredibly short time France paid off this huge war-debt, owing to the patriotism of her people, who regarded it as their *duty* to come forward and lend their hidden savings to the State in its financial necessity.

Again the public *value* and the public *duty* of thrift can easily be seen in the fact that it was British gold that beat Napoleon. It cost us eight hundreds of millions—but we were able to foot the bill. Again, it was largely British gold and credit that helped to destroy Prussian Militarism when (1914–18) that evil system of government tried to conquer Europe. Our National Debt was increased to the mighty sum of nearly £8,000,000,000! So vast a sum could never have been raised, even in the cruel necessities of war, had not our people freely yielded the results of their *thrift* to the *State*.

From the *public* or *State point of view*, therefore, it is an absolute civic duty to cultivate the habit of thrift. At any time a national crisis may arise, such as a war, an earthquake or a flood, and the State may require instantly huge loans to carry on its work of guarding the public welfare. Unless

its citizens have *saved* the money the State cannot have it.

Nor can citizens plead that no convenient means exist for them to put away their little reserve. The Government, knowing the importance of encouraging this habit for State purposes, have provided means. In the Post Office Savings Bank there is every convenience desired. In the War Saving Certificate scheme, also, a successful means of getting the poorer classes to save was found. Many hundreds of millions of pounds have been saved voluntarily by the workers in their use of these two means. In addition to these, there are, of course, many other banks which will receive small sums on deposit. Nobody to-day can plead that he has no safe place to put his money. Moreover, in all cases of banking a fair interest is earned by the money banked—and this is an additional inducement to save.

From the *private* point of view thrift is also an absolute civic duty. Old age seems to creep upon us slowly; in reality it comes all too soon. And clearly it is a man's duty to provide, if he can, after providing for a full means of life and its fair enjoyment, for his old age and retirement from labour. "To put by for the rainy day" is a necessity to most people: unfortunately, the "rainy day" comes too soon and, perhaps, too often for their slender savings to bear. Looking generally at this bustling world, with its millions upon

millions of people all striving to live, it is clear that those without money or savings are severely handicapped. If a man has good health and good work, he ought to reckon himself a lucky man and provide as best he can for the unknown dangers of the future.

This *private* duty is made tragically plain to all by the unhappy yet all too common sight of unemployed and destitute men, penniless old age, pauperism and organized charity. Our modern State, with its millions of subjects, has been compelled to come to the rescue of its poor and distressed. In such great Acts as the National Insurance Act, Old Age Pensions, Labour Exchanges; in the feeding of poor school children, the whole of the Poor Law organization (Chapter XXXVIII), etc., the State has carried out what is really its *duty* to its citizens, making provision for their welfare. Yet, had all these many thousands of necessitous citizens done *their duty* during their days of health and strength and full work, how much less would now be the burden on the State and the burden of their own private woe.

The *habit of thrift* can alone save an ordinary man from pauperism. To encourage this habit is the State's object in such measures as the above: to respond, as far as is possible, is the duty of every citizen. Misfortune and sheer inability ought alone to prevent an attempt to save money.

Thrift is also good *morally*. It gives a man a feeling of security; it allows him a sense of independence: it trains his knowledge of values and gives him the dignity which arises from the sense of possession. The thrifty citizen is usually healthy in his views and his citizenship is active and intelligent.

QUESTIONS.

1. The value of Thrift.
2. The morality of Thrift.
3. The means of Thrift.
*4. Ought the State to compel its people to save?

## CHAPTER XXXVII.

### WORK.

All men must work in order to live. The man who "succeeds" in life, as we say, usually has to work hard and with uncommon skill. "By the sweat of his brow" Adam had to labour. Although many millions of his modern descendants have no need to use their handkerchiefs freely upon perspiring foreheads, yet it is still true to-day that work in some form is a grim necessity to the whole of mankind. That life must be supported by human toil is a *Law of Nature*.

It is also a *Law of Society*. The State is really a vast collection of men and their families—all of whom for many reasons of convenience agree to live together. The State is, therefore, like a man. It has the same necessities of life and government as he has. And one of these necessities is that the State must WORK if it is to survive. What is more important is that if the State is to "succeed"—that is, become great and powerful among the States of the civilized world—it has got to work enormously hard and with surpassing skill. Of course, when we speak of the State's "working" and

the State's power through work we mean, *the collective work of all its citizens.*

Remember only by the labour-force and industrial genius of its people can a State become wealthy; and wealth to-day brings power.

It is, therefore, clearly a duty of men and women as *citizens* that they should work ably and willingly. In doing so they not only obey the natural law we spoke of, but they pay part of their big debt to Society and the State by assisting both these institutions to live worthily. It must always be remembered that men can only live by work in the *social* type of life. That is, men must live and work *together in a State.* They cannot live *alone.* Hermits and Robinson Crusoes are odd freaks of human existence that cannot (from the civilized point of view) be called successful or even healthy. So the State with its Social life is *necessary* for man. In it he finds full opportunities for his capacity for work—without these opportunities he would starve, unless he were as lucky as Robinson Crusoe and had a ship-load of tools and food to be going on with!

Looked at in this way, it is true to say that men owe their very means of life to the State and the work it directly and indirectly provides for them. Therefore, in return it is an undeniable *duty* of citizenship that all should do their daily task as well as they possibly can.

Note also that not only will the State profit

by the full and faithful carrying out of this duty, *but every citizen will profit in turn*—for the richer the State the better the conditions of life ought to be for all its members.

*Britain's great need of "work" to-day.*—It is necessary also to say here quite frankly that Britain to-day has greater need than ever before in her long history of the loyal observance of this civic duty of WORK. She has just emerged triumphant from the sternest of all Wars. The sacrifices she made to safeguard the liberties of civilization were colossal. Her international trade and control of the world-market were seriously weakened. Her standing debt is now nearly £8,000,000,000—an unimaginable high sum. To recover her old position of world-greatness in Trade and Industry, to make good her immense losses and pay off the mighty load of debt which is weighing her down, *is an absolute necessity.*

But her success depends entirely on her citizens' ability and willingness to *work*—especially the many millions who are engaged in her gigantic industries. *Only by the unstinted toil and genius of her people can she again rise to her former greatness.* In Japan, and especially in the U.S.A., we are to-day faced with two industrial and commercial giant nations—both of whom are determined to wrest from us our Commercial Leadership of the World. Gravely weakened as we are by our war sacrifices, these rivals will undoubtedly win in the stern race,

*unless every citizen realizes to the full his duty to* WORK *for the State, as well as for himself, and faithfully performs it.* Our greatest need as a Nation to-day is a larger "output," as business men say, from all our industries. This can only be got by all our citizens ceasing to be selfish, indifferent or idle in the vital matter of WORK—by their thinking of the State's necessities before their own, and by their toiling as hard as they can to relieve them.

*The "Idle Rich."*—Some people will raise the question of the "idle rich" at this point, and ask why are they not compelled to work, if the State's need is so great. Those who would defend these people would say: In the first place, the "idle rich" are very few—few enough hardly to matter. In the second, *their wealth is not idle*: and this matters very much. Their millions are as active as they can be. Their wealth practically is all absorbed in our capitalized industries—the industries which have made us commercially so powerful, and which without immense capital would be impossible.

Whether this defence is sufficient to relieve these "few" people from the necessity to labour or not, must, so far as the ordinary citizen is concerned, remain a matter of opinion.

*Work is the true form of pleasure.*—Lastly, remember that although work is a necessity it ought always to be a cheerful matter. It ought to be enjoyed for its own sake. If there were none to do and all life was pleasure-seeking

think how dull we should be. Truly, work is the best form of pleasure—if rightly understood and performed. In it man proves himself a *creator*, and so different from every other animal on earth. Sing over your work! Rejoice that you are strong and skilful enough to prove by its success your responsible manhood and citizenship!

To insist so plainly as I have done in this chapter that we must all work, and work hard, would seem to suggest that our sole object in life is to get rich. This is, however, not my real intention. To have no other object than wealth, is, in itself, an ignoble aim. It makes us mean "money-grabbers" and slaves of the abhorred god, Mammon. Our aim is, and must always be, much higher—to live a "full and free life" enjoying and increasing our measure of opportunities of social pleasure, healthy recreation and artistic and educative pursuits. With this aim in view our work and our "money-making," fall into their proper places in our scheme of life, viz., they are but means—necessary and vital means, however—to secure for us "the whole of life's rich prize, unstinted and unspoiled."

QUESTIONS.

1. Work is a Law of Life.
*2. "Britain's chief need to-day is a larger output." Discuss.
3. The pleasure of work.
*4. "Man the Creator!" Discuss.
5. The social and industrial value of the "Capitalist."

## CHAPTER XXXVIII.

### PROVISION FOR THE POOR.

*The Problem of Poverty.*—The presence of poor and destitute people in its midst is a great problem to every modern State. It is not a bit of good pretending it is not there or of trying not to see it. Its difficulties are so grave that they cannot be shirked or avoided. If the State attempts to do this it not only fails in its duty, *but allows the problem to grow* until it is too terrible to contemplate, let alone solve successfully. For poverty is very much like a disease—it spreads. The only way to stop it is to attempt a proper cure.

It is to the credit of the British State that it fully recognizes this social evil and does not try to avoid its difficulties. Rather does it make a splendid attempt to cope with them effectively. That the welfare of the State must be maintained is the first aim of our Government; and clearly this general welfare must suffer if in our midst there are some millions of souls whose conditions of life are wretchedly poor.

Moreover, our State recognizes the grand principle that all its citizens and subjects being born free have a *right to live.* If, therefore,

some of them cannot really live properly owing to hostile circumstances, the State steps in to their rescue and tries to help them to do so.

"Why should the State help them? It is largely their own fault. They have led wasteful and extravagant lives. They have made their beds and must not moan now if they have to lie on them!" Often do we hear some such argument as this put forward by the selfish man or woman. There may be some truth in it: but the point to be realized is this, that the past cannot be helped, and both the present and the future really matter. To relieve these poor people and to give them the full necessities of life is essential if the social well-being of our State as a whole is to be safeguarded now and in the time to come. The trouble is too serious to be cast lightly aside by saying it is in some instances self-caused.

It is, of course, necessary to distinguish between the bad and the good poor classes. By "bad" I mean those who are really vagabonds, tramps, criminals, and men and women so depraved that they have no other aim in life than to live at the expense of their fellow-countrymen or of their State either by fair means or foul. This class is an "enemy class" in our midst, and must be dealt with as such by the Law. It is wrong to help such people. They cannot understand the true meaning of Charity. The Police and the Law must look after them—and they do.

On the other hand, the vast class of the *deserving poor*—those who try to lead honest and useful lives—must be aided to do so. As their fellow-citizens, who fortunately are better off, we ought willingly to help in this necessary work and approve of any attempt the State, on our behalf, may make to relieve them. To make satisfactory provision for the poor is indeed one of our civic duties.

The way to carry out this duty is very simple. We must cheerfully pay the taxes the Central Government impose for this purpose, and the Poor Law Rate which the Local Authority collects. We can also in addition contribute to well-known charity organizations. Practically all worthy and humane citizens give something every year to charitable purposes, besides, of course, paying their rates and taxes.

*Government Measures.*—Nowadays, the brunt of the work in providing for the poor is carried on officially—by both the Central Government and the Local Authorities.

Let us look briefly at their work in turn.

A. *Central Government.*

(i) The Housing question is receiving full attention. Slums are being condemned and swept away. Hundreds of thousands of new houses are being provided at fair rents.

(ii) The children of the poor are all educated "free." In large numbers of cases "free meals" are also given to these children.

(iii) The aged and infirm are now in receipt of Old Age Pensions. Every person over seventy years of age, provided he or she is a British subject, can claim this pension. They must, of course, be poor. Their total income from other sources must not exceed £31 10*s*. a year. There are well over a million of such pensioners. At the present time the Government are again examining this question, and improvements in both the pension and its conditions will undoubtedly result shortly.

(iv) The National Insurance Act, 1911, was a tremendous measure of Reform in this connection. By it all the poor and working classes were *compelled* to insure against sickness. The State assisted them to do so. If illness comes and unemployment distresses them, they can have free medical attention and medicine (*see* Chapter XXVIII).

By this Act also special Unemployment Insurance was made possible. If the worker were willing to pay a small amount extra per week, he or she was entitled to large out-of-work pay during sickness. But this form of Insurance was *voluntary*.

(v) The Labour Exchanges which have during the last ten years been set up all over the country are also of great service in preventing unemployment and thus stopping the progress of poverty.

*Pauperization.*— All these measures of State Relief or of Provision for the Poor are directed

to prevent *pauperization.* To become a "*pauper*" is considered by most healthy-minded people a social disgrace—a state of life to be avoided at all costs. There is much truth in this view, but it is not wise to hold to it with absolute strictness, for many thousands of the very poor must if they want to live take advantage of the Poor Law Provisions, and to do so *is no disgrace to them.* This brings us to the work of Local Authorities.

### B. *Local Authorities.*

The Poor Law is administered locally. The whole land is divided into areas known as Poor Law Unions, and a Board of Guardians is elected by the ratepayers of each Union to supervise the carrying out of the work of Poor Law Relief. In each Union there is a workhouse. Poor Law Relief can be of two sorts:

(i) The thoroughly destitute who are forced "to go on the rates" can go into the workhouse. Here they are provided freely with a home and all the necessities of life until things brighten for them.

(ii) They can get "out-door" relief, *i. e.* money and certain kinds of food week by week until their circumstances improve so much that they can do without help.

In addition to this there is usually an Infirmary or Hospital established in the district to which the poor can go for free medical and surgical attention.

This provision for the poor out of the rates is the oldest form of relieving this big social difficulty. It dates back to the reign of Queen Elizabeth. She first insisted on the setting up of the Poor Law. Its beneficial work has gone on ever since—over three hundred years—and is to-day in its national organization the most active form of ably assisting the destitute of the nation.

Finally, it is necessary to glance at the provision made for the sick and the insane among the poor. Many asylums exist in various parts of the country to provide for the latter unhappy class of men and women. These institutions are supported by the rate-payers, and are administered and supervised by an approved Local Authority; *e.g.* the Metropolitan Asylums Board is responsible for the Asylums belonging to London Authorities. Generally, every county has its own institution for the lunatic; the County Council is responsible for its upkeep, and a special rate levied for it.

The sick among the poor are, however, dependent upon Charity—unless they go into an Infirmary. This Charity is freely given in our many and splendid Hospitals, where there is the best accommodation for illness of any sort and highly-skilled and expert staffs of nurses and doctors to attend to the patients. It seems an extraordinary fact that these very necessary institutions should be almost wholly

maintained by private subscriptions. Without an annually guaranteed and large sum of money, they cannot be expected to do their good work as fully as possible. That some of them should be hindered and bothered with financial worry and anxiety year by year seems very unfair. For this reason it has often been proposed that they should all be made "State-aided," *i. e.* the State should be finally responsible for their upkeep. It certainly would be a more satisfactory arrangement than the present. For the same reason, too, we ought to be ready to give of our alms to these institutions. It is wrong that Hospitals have to beg for money.

*A Double Test of Citizenship.*—Before leaving this subject we might add that it provides a double test of citizenship.

In the first place our concern for our fellows can in this field of action find a practical outlet.

In the second, realizing how great a problem the existence of destitute poverty makes, we shall resolve that, if possible, we shall never personally *increase* it. To develop the habit of thrift, to work hard and make whatever provision we can for the future, is, after all, the best way of helping ourselves and of helping the State in this matter. It is, unfortunately, easier to get poor than to amass riches. The extravagant and wasteful man, especially if he is of humble circumstances is foolishly laying up a store of trouble for himself, and, very likely, trouble also for the State in years to

come. And here the point had better be made that it is the soundest of policies to *pay all debts promptly*. They have a curious way of lingering unpaid; and, if they remain too long, they revenge themselves by ruining the debtor. How many of the destitute poor commenced their downhill path by not paying their debts when they could have done so!

Help the poor gladly—but do not become one of them. This is, in short, the duty of a citizen.

QUESTIONS.

1. The "social disease" of poverty.
2. Give instances of Government relief.
*3. The advantages and disadvantages of private Charities.
*4. Why are the hopelessly sick and lunatic provided for till death?
*5. How would the "pooling" of the rates affect the Poor Law?
6. What is a Poor Law Union and a Board of Guardians?
*7. It is now proposed to abolish "Boards of Guardians." Discuss this reform and its alternatives.

# CHAPTER XXXIX.

## THE MEANING OF SELF-GOVERNMENT, AND THE PRINCIPLE OF RESPONSIBILITY.

THERE are many forms of State-Government. The history of both civilized and uncivilized races is full of examples of these different forms. There is no need to look at them all here. Our purpose will be satisfied by looking at the three chief forms that have appeared in the progress of European civilization. These three forms are: (i) Monarchy; (ii) Aristocracy; (iii) Democracy.

(i) *Monarchy* is the rule of a King. The King can use his sole authority either well or badly. If he refuses to take counsel with the great men of the State, and insists upon his will and word being law, he is called a despot or tyrant, and his form of government is called Despotism. He alone in the kingdom is all-powerful. All his subjects must bow before his will. Clearly such tyranny or despotism can be either good or bad. If it is used to increase and safeguard the welfare of the State as a whole it is good, and his people have little to grumble at. If, however, it is used selfishly, with no other aim than

to increase the glory of the monarch and to strengthen his throne it is bad. These opposite types of monarchy are quite common, especially among rather backward nations.

(ii) *Aristocracy* is the rule of the few great men of a State. They form a Council, and this small group of men possess the highest authority and direct the State-Government as they desire. Aristocracy, if it is pure, means the rule of the "best" or the wisest men. In such a case their rule would be good. The benefit and well-being of all the members of the State would clearly be their first aim. Unfortunately, however, power is usually preferred to wisdom; and the most powerful men, the strong nobles, etc., usually hold the seats of authority, and seize the reins of government. It is possible, of course, for these strong, soldierly men to rule unselfishly. But, generally speaking, they pursue a selfish course, governing the people with as firm and as iron a hand as any bad despot could. This "aristocratic" form is also commonly found as the *constitution* of backward States.

(iii) *Democracy.*—You will have noticed that the ordinary rank and file members of the State were quite shut out from all part and share in the government of the two types we have already considered. Both Monarchy and Aristocracy rest on the principle that *the common people are not able to govern themselves, but must be governed by their superiors.*

So far as politically backward and ignorant peoples are concerned, it is perhaps right to accept this principle, and that the people should be governed in some such absolute way. When, however, we come to a politically and industrially progressive and educated people the case is different and this principle cannot and ought not to apply. Such a people well deserve to take some part in their government—to be allowed to share its heavy burden and responsibilities. When this happens we call the form of government that results—a *Democracy*.

To-day, most of the great nations of the world are in some measure *democratic* in their government. It is, therefore, important, to understand fully the meaning of this word. It comes from two Greek words: "*demos*," which means the people, and "*kratos*" which means rule or power. Thus *Democracy* means "the rule of the people."

*British Self-Government.*—Now, we are a democratic people. Our government or constitution is really that of a Democracy. We rule ourselves; we play a big part in the government of our State; in fact, we claim, and are proud to claim, that we are a *Self-Governing Nation*.

This is so important a claim that it is as well to understand it clearly. If we really govern ourselves how is it that we have had to discuss in this small book such governing

institutions as the Two Houses of Parliament, the Cabinet and the Crown? These institutions savour very much of Aristocracy and Monarchy. The Crown is certainly the symbol of Monarchy, and the other governing groups are small, select, "wise" and "aristocratic." And when dealing with them we saw distinctly the "King-in-Parliament," or, to give this combination its proper name, The High Court of Parliament, really possessed the highest governing authority. All this seems to contradict our claim to be self-governing and truly democratic. How can this puzzle be straightened out? Very simply.

*Representation and Election.*—Our democratic government is based upon the important principles of *Representation and Election.* Our governing institutions are *representative* of the People. Possessing and using fully the representative and elective principles, we actually so govern ourselves through the various governing bodies we have had to notice. Let us trace their application and use. We shall then clearly see what democratic self-government means, and how it works on our representative system.

In the first place, sovereign authority is possessed by the Electorate alone. The twenty millions of our people who have the right of the Parliamentary vote are therefore finally responsible for the government of the State, *i.e.* themselves and their *unfranchised* brethren.

In so vast a mass as twenty millions of citizens the sovereign power is too big and widespread to work quickly and easily. Decisions cannot be taken swiftly; policies cannot be fully agreed. A real national council to which all citizens should come and raise an equal voice in the management of the State is a physical impossibility. Thus an immense difficulty at once arises which seems to prevent true modern Democracy.

By use of the Representative and Elective principles, however, this difficulty is overcome. The Electorate decide to elect 707 men, who shall *represent* them. These 707 men meet in a place called Parliament; and in this small and convenient assembly they speak and act in a governing capacity *for and on behalf of the millions who elected them.* They can do this freely, for in electing such representatives the millions *loan to them* for a given time (five years at most) *their own full sovereign and governing authority.* At the dissolution of Parliament or by the death or resignation of any of their Representatives in Parliament, the full sovereign and governing authority comes back again to the people.

It is this fact—that the millions are *loaning* governmental powers to their representatives that makes General Elections—or bye-Elections —so important and so interesting. Politicians talk about such times as "An appeal to the People." The victorious political party claim

that the People have given them a *Mandate* to rule the State, according to certain principles. On the other hand, the Prime Minister who is faced with a hostile House of Commons, threatens "to go to the People" for support and approval of his policy—and often does. And so on.

Thus by using these principles of Representation and Election, self-government is not only made a workable fact but its fullest rights are maintained.

On much the same lines of Representation, the Cabinet—the chief executive organ in the Government—is duly ordered. The Cabinet Ministers are chosen by the Prime Minister, but they are representatives of their political party in the House of Commons. Their political party also agrees *to loan to them* for a time (so long as the Ministry lasts) *their own Executive authority in Government.* Thus is the executive business of government made practicable by the use of this representative principle (*see* Chapters VII and VIII).

With regard to the Crown the same principle holds. The Crown is held by the sanction of Parliament. Parliament "grants" the Crown. The King is thus the approved but permanent representative of his people. And he acts (as we saw) as such a representative in his co-operation with Parliament (*see* Chapter VI).

Our system of Self-Government by means of

Representative Institutions is a remarkably successful system; but its success is due chiefly to one extremely important and striking fact. This fact is : *The faithful acceptance of Responsibility and its Consequences* by all who are really concerned. Note this. It is the key to the whole puzzle.

We touched upon this fact when we spoke of the Cabinet. We then saw a particular side of it; and we called it *The Principle of Ministerial Responsibility*. This we understood to be as follows: That Cabinet Ministers were held to be directly responsible for their success or failure to Parliament; that, as representatives of Parliament, they were required to justify their work—if need arose —to Parliament. Unless this principle were faithfully accepted and loyally observed the Cabinet System would be impossible, for Parliament would lose all its control over it.

In exactly the same way and for the same reasons the Principle of Responsibility is observed between Members of Parliament and the Electorate. Accepting fully the *responsibility* involved in his representing his constituents, a Member of Parliament must be able to justify his work when he seeks re-election. The free vote of the People compels their representatives to be loyal to them, and is in itself a live proof of their supreme authority.

By this *principle of Responsibility* our Repre-

sentative System is held together so tightly that it cannot fall to pieces; it also ensures that the true seat of political and sovereign power in government shall remain with the People. It is the cement of our Constitution. The Cabinet is responsible to Parliament, and Parliament is responsible to the Electorate. The final right of approving or condemning a government belongs to the People alone.

*The Responsibility of a Self-Governing People.*—But if the Crown, the Cabinet, the Parliament and all its inferior institutions of government, are held together and bound to the Electorate by the idea and fact of Representative-Responsibility, must the Electorate itself be *without any responsibility?* Indeed no! As the possessor of final and absolute sovereignty the Electorate is the *most responsible* of all our governing institutions. As a self-governing body it must also be held *finally responsible for its own government.* It must be responsible for the good work of all the series of representative institutions to which it *loans for a time* its grand authority.

It is a grave misfortune that so many of the twenty millions of citizens who form the Electorate have little, if any, conception of this (their own) *responsibility.* Instead of regarding an Election as a very serious matter they are inclined to look upon it as a joke and a time for wild frolic. That the most important and vital principles of demo-

cratic government are involved, they seem to be wholly unaware. That they are at that time called upon to use a valuable privilege of self-government—a privilege for which many generations of their forefathers fought and died—is, apparently, unknown to them. That political power and state authority such as they possess rightly demands clear thought and sober action is so much moonshine to them.

*How to Prepare for this Responsibility.*—Yet this final authority and this final responsibility of the Electorate in a self-governing State cannot be denied. It is a fact to be faced frankly. Every citizen worthy of his salt ought to be alive to both the honour and the right which are his, and be ready always to uphold and guard them from reproach or loss. How best can this be done? This is the question that all citizens of now and the future should ask themselves. The answer is simple. It is: *to study as keenly as possible all matters concerning politics, government and the State;* to miss no opportunity that will assist this study; to make full use of newspapers, journals, books, meetings, debating societies, etc., to understand clearly the political principles and ideals and actual records of work of the various political parties; to make yourselves acquainted with *local* affairs of government also, with the work (and the men who do it) of the local Councils,

Board of Guardians, etc. Determine to bring all your faculties, knowledge and judgment to bear in the choice of your candidate either for Parliamentary or Municipal honours. Realize that in making this choice you are using either for good or ill your own power and right of self-government, and that your own welfare and the well-being of the whole State depend in part on your judgment.

The greatest of our needs as a State is that of an *intelligent* Electorate. Unless the Electorate is intelligent enough to fulfil its high function the whole system of a self-governing Democracy on the Representative Principle is bound to fail. Unless the Electorate is *worthy* of the rights of self-government, it ought not to possess them.

QUESTIONS.

1. Explain fully the words "Constitution" and "Government."
2. Which of the three forms given do you prefer? Why?
3. What is the Principle of Responsibility in self-government?
*4. The good and evil of Aristocratic Government.
*5. "Democracy is like a bull in a china shop." Discuss.
*6. How far is self-government a reality in modern Democracy?

## CHAPTER XL.

### THE IDEAL STATE AND ITS CITIZENS.

THE fact that all of our *political parties* avow that they are going to improve our conditions of life within our State seems to be sufficient to prove that ours is not as yet an ideal state. The fact that our *self-governing* citizens do not make up their minds to choose one of these parties definitely and to stick to it, but rather change their allegiance from Liberal to Conservative, or to Labour, and so on as every General Election gives them their opportunity to choose afresh one of them, also seems to suggest that we are not yet ideal citizens. Moreover, there exist, as we know, many "new schools" of political thought and ideas, such as State Socialism, Co-operation, Communism, all of which are ready to prove that they alone of all political Systems can give men an ideal State organization. During the past fifty years "new schools" have grown greatly in influence, and must in the future be seriously reckoned with.

It may be well, therefore, in this last chapter, to consider the ideal State and its citizens, and to discuss a few truths concerning both.

*The Meaning of "Ideal."*—In the first place there can *never* be an ideal State in the *ideal* sense meant by political and social theorists and dreamers. This is an unpleasant truth which has to be faced boldly. By "ideal" they mean a state in which all life and conditions of life are so peacefully and plenteously ordered that there is neither want nor suffering, oppression nor crime, and all men and women are happy and content with their lot. The need of government, which we know means the need of law-rule and its firm maintenance, will be so small in this type of State that it cannot fail to be absolutely just, wise and successful in the eyes of all its citizens. The necessities of life will be so divided that abundance will not be known—nor will destitute-poverty. Struggles for power and fortune, for influence and class-distinctions will cease and be forgotten in a splendidly organized equality of opportunity and reward for work. Competition in its brutal modern sense and all its hideous social and industrial consequences will be impossible. And so on.

Make up your minds at once that there can be no such State. It is an idle dream—a phantom which merely mocks at discontented Man. It cannot be owing to the nature of human life, personality and action. Struggle, striving and strife are in the very nature of our life. Discontent will always exist; and struggle "to improve" things will always go on. It is

natural for men to associate within the State: it is also natural for them to agree and *to disagree* upon everything under the sun—from the difference between black and white even to the fine arts and practices of State-Government. Our partyism and factions are natural. We cannot help them any more than the colour of our hair. If a man is honestly convinced that he is *right* no argument will shift him, but the other argument is held to be equally true by his opponent.

*The Rule of the Majority a necessity.*—This natural tendency to strife and disagreement can be seen in every department of our life. It would be strong enough to throw into chaos the best of governed States were it not that the *Rule of the Majority* supports the government and prevails. But this practice of allowing the Majority to rule the State is, after all, only a way out of a very big difficulty—a way agreed upon by men conveniently as the State is a necessity for them—and they know it. In our own State this is seen, understood and practised particularly well. We must have the State. We are apt to quarrel as to how it shall be governed. But we are compelled for our own safety and welfare to agree that the Rule of the Majority shall prevail. And it is the only workable system.

*The Practicable "ideal" State.*—Must we then give up all hopes of an "ideal" State? No! We must merely give up dreams and

face facts. Taking the facts as they are—the fact of the Law of Struggle in Life, the fact of the necessity of the State, the fact of the need for a strong and successful Government of the State, let us see how an "ideal" State can be got.

The base of it must be a clear recognition of the truth that life within the State carries with it *privileges* and *duties*. It must be a contract, so to speak, between the State-Government and the Citizens. On the one side, membership of the State should give the citizen important *rights*, and on the other, it should demand from him important *duties* to the State. What these rights and duties are should be fully known—*and fully given and observed on both sides*. Further, they in themselves should be as full and as free as is possible.

The next stage must be that the citizens have the full power of self-government. All government must be for their welfare and carried on by a sound system of Representative Institutions, all of which seek their final authority in the expressed will of the People. In short, the constitution of the state must be a *workable* and just Democracy. This would necessarily involve the Rule of the Majority.

Thirdly, the industrial and commercial life of the State should be so organized that it will yield the maximum wealth to the State and the maximum reward to Labour.

Fourthly, social conditions of life should

be healthy. Full freedom of movement and action should be enjoyed by all men so long as they do not endanger the health of the State. Poverty and destitution should be swept away by governmental action, if necessary. The science of Medicine and Surgery and Nursing should be endowed by the State so well as to guarantee the healthiness of all citizens.

*How far does the British State realize this type?*—Such are the four main conditions, or stages, necessary to be realized for an " ideal " State under modern conditions of life and world development. Although the British State may not yet have realized them all it is undeniable that it has passed the first two and is well on the way to realizing the third and the fourth; not yet " ideal," it is rapidly becoming so. The " contract of State membership " within our State is well understood. Our citizens possess the fullest civic privileges and in return have known duties to perform. In industrial and commercial and social conditions of life, generally, progress is being yearly increased by far-reaching and splendid reforms. Our freedom, our liberties, our rewards have been, and are still, the envy of the civilized world. Our State, as a working organization which tries to safeguard the welfare of all its members, is very near to the practicable " ideal."

*Are we " ideal " citizens?*—That we are as a whole " ideal " citizens is quite another matter. From various hints in this book you will gather

that I do not think so, and am even now trying by this book to help the younger members of our nation to become so. All the same there is no good reason why we should not be "ideal" citizens. It depends entirely upon ourselves. We have all the means of claiming this proud distinction if we would only use them.

In the first place we enjoy to the full a magnificent set of civic *privileges*: all that we have a right to claim the State grants us.

In the second we have an equally magnificent set of civic *duties* to perform in return to the State.

Both these privileges and duties have we already discussed. Their value and importance ought now to be clear.

To be "ideal" citizens, all we have to do is to exercise our privileges wisely and to do our duties fully. It does not seem much, but so many fail to do either at all—or well.

Our State and its constitution is nearly as good as it can be. But never doubt that the State and its Citizens as a whole are one: unless, therefore, its Citizens play their part, the State cannot either. If the Citizens would have their State an "ideal" State, they must all resolve first to try and be "ideal" citizens themselves.

Our citizenship calls for the highest respect: it is our most valuable possession—to abuse it is a self-injury: to use it wisely and loyally is our duty—and ought to be our pride.

QUESTIONS.

1. Why should an " ideal " State be practicable?
2. " The State and its citizens are one." Discuss.
*3. How far does the British State satisfy " ideal " conditions?
*4. Explain the chief conditions of citizenship.
*5. Would the Rule of the Majority make the " ideal " State impossible?
*6. The value of Utopian politics and economics.
7. Is violence justifiable as a means of gaining political ends?

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